

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,061

WATER RIGHT NUMBER 400-W-077048-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1948
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWSE 08 28N 37E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWSE 08 28N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2SWSE 08 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,062

WATER RIGHT NUMBER 400-W-077048-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077047-00, W077048-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BILLOCK COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENENE 16 28N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENENE 16 28N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESESE 09 28N 37E VALLEY

REMARKS:

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MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-W-077049-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077049-00, W077050-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1900) (THE BEAR LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,085

WATER RIGHT NUMBER 400-M-077050-00

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BILLICK COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 MENENE 16 28N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM MENENE 16 28N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SESESE 09 28N 37E VALLEY

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-077050-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077049-00, W077050-00.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3.067

WATER RIGHT NUMBER 400X-W-077051-00

IMPORTANT NOTICE

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OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 01, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				NESENE	10	28N	37E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DNSTREAM			NESENE	10	28N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					SENESE	10	28N	37E	VALLEY
002					NESENE	10	28N	37E	VALLEY

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BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,068

WATER RIGHT NUMBER 400-W-077051-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077051-00, W077052-00.

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* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 PONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,069

WATER RIGHT NUMBER 400-M-077052-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 01, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QIB SEC	SEC	IWP	RGE	COUNTY	MEANS
01				NESENE	10	28N 37E VALLEY	DAM

RESERVOIR:

		QIB SEC	SEC	IWP	RGE	COUNTY
01	ONSTREAM			NESENE	10	28N 37E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK	QIB SEC	SEC	IWP	RGE	COUNTY
001				SENESE	10	28N 37E VALLEY	
002				NESENE	10	28N 37E VALLEY	

REMARKS:

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BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,070

WATER RIGHT NUMBER 400-V-077052-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077051-00, W077052-00.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 04, 1935
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.87 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SE	SW	13	28N	37E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM	SE	SW	13	28N	37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		SE	SW	13	28N	37E	VALLEY	

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PAGE 3,072

WATER RIGHT NUMBER 400-W-077053-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
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W077053-00, W077054-00.

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THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,073

WATER RIGHT NUMBER 14003-W-077054-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 04, 1935
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SE	SW	13	28N	37E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ON	STREAM		SE	SW	13 28N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SE	SW	13	28N	37E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,074

WATER RIGHT NUMBER 400-W-077054-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077053-00, W077054-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

03/31/95
PAGE 3,075

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-077055-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NWSEW	14	28N	37E	VALLEY		DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		NWSEW	14	28N	37E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NWSEW	14	28N	37E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* F 11

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,076

WATER RIGHT NUMBER 400-W-077055-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077055-00, W077056-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,077

WATER RIGHT NUMBER 400-W-077056-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA COEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 6.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWSEW 14 28N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWSEW 14 28N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWSEW 14 28N 37E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,078

WATER RIGHT NUMBER 4001-W-077055-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077055-00, W077056-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 294 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,079

WATER RIGHT NUMBER 4002-W-077057-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 09, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				SENWSE	15	28N	37E	VALLEY	DAM

RESERVOIR:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01				SENWSE	15	28N	37E	VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SENWSE	15	28N	37E	VALLEY	

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,080

WATER RIGHT NUMBER 400-W-077057-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES. W077057-00,
W077057-00, W077058-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED, "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *****

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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,081

WATER RIGHT NUMBER 400-W-077058-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 09, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SENWSE	15	28N	37E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			SENWSE	15	28N	37E	VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SENWSE	15	28N	37E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,082

WATER RIGHT NUMBER 400-V-077058-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077057-00, W077058-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING FORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,003

WATER RIGHT NUMBER 400-V-077059-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 16, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: 2.11 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01				NWSEW	17 28N	37E VALLEY	DAM

RESERVOIR:

	QTR SEC	SEC	TWP	RGE	COUNTY
01				NWSEW	17 28N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY
001							NWSEW 17 28N 37E VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,084

WATER RIGHT NUMBER 400-W-07059-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W07059-00, W077060-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3.065

WATER RIGHT NUMBER 400-W-077060-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 05-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
P.O. BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 16, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			N	W	S	17	28N	37E	VALLEY DAM

RESERVOIR:

		DIR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM						
		N	W	S	17	28N	37E

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY
001									
				N	W	S	17	28N	37E

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,086

WATER RIGHT NUMBER 400-W-077060-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077059-00, W077060-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,087

WATER RIGHT NUMBER 400-W-077061-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1948
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 7.41 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	SWSESW 18 28N 37E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	SWSESW 18 28N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		SWSESW 18 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,088

WATER RIGHT NUMBER 400-W-077061-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077061-00, W077062-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING J'S *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,009

WATER RIGHT NUMBER 400-W-077062-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1948
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SWS	ESW	18	28N	37E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM		SWS	ESW	18	28N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SWS	ESW	18	28N	37E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,090

WATER RIGHT NUMBER 400-W-077062-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077061-00, W077062-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,091

WATER RIGHT NUMBER: 14003-W-077063-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 09, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC	SEC TWP	RGE COUNTY	MEANS
01		NWSWNW	21 28N	37E VALLEY	DAM

RESERVOIR:

	QTR SEC	SEC TWP	RGE COUNTY
01 ONSTREAM	NWSWNW	21 28N	37E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK	QTR SEC	SEC TWP	RGE COUNTY
001			NWSWNW	21 28N	37E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,092

WATER RIGHT NUMBER 400-W-077063-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077063-00, W077064-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED, "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
x x x x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,093

WATER RIGHT NUMBER 400g-W-077064-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 09, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWN 21 28N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSWN 21 28N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWN 21 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* I 12

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN #00
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,094

WATER RIGHT NUMBER 400-W-077064-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077063-00, W077064-00.

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03/31/95
PAGE 3,095

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400 W-077065-00

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 17, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				SESENE	30	28N	37E	VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		SESENE	30	28N	37E	VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SWSNW	29	28N	37E	VALLEY	
002				NWNSW	29	28N	37E	VALLEY	
003				SESENE	30	28N	37E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,096

WATER RIGHT NUMBER 400-W-077065-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077065-00, W077066-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,097

WATER RIGHT NUMBER: 400-M-077066-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 17, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 7.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SESENE	30	28N	37E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			ONSTREAM	SESENE	30	28N	37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SWSWNW	29	28N	37E	VALLEY	
002			NWNWSW	29	28N	37E	VALLEY	
003			SESENE	30	28N	37E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
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RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* M 12

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,098

WATER RIGHT NUMBER 400-W-077066-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077065-00, W077066-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,099

WATER RIGHT NUMBER: 400g-W-077067-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 08, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 7.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK Q18 SEC SEC 1WP RGE COUNTY ----- MEANS -----
01 S25WNW 34 28N 37E VALLEY DAM
RESERVOIR:

----- Q18 SEC SEC 1WP RGE COUNTY -----
01 ONSTREAM S25WNW 34 28N 37E VALLEY
RESERVOIR/LAKE NAME: TWO BUTTE RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK Q18 SEC SEC 1WP RGE COUNTY -----
001 S25WNW 34 28N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 3,100

WATER RIGHT NUMBER 400-W-077067-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077067-00, W077058-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN C/O
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,101

WATER RIGHT NUMBER 400-W-07068-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 08, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			S2S	WNW	34	28N	37E	VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	S2S	WNW	34	28N	37E	VALLEY

RESERVOIR/LAKE NAME: TWO BUTTE RESERVOIR

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			S2S	WNW	34	28N	37E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,102

WATER RIGHT NUMBER 400-W-077068-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077067-00, W077068-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-G/7069-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1940
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SEN	NW	08	28N	38E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ON	STREAM	SEN	NW	08	28N 38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SEN	NW	08	28N 38E VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,104

WATER RIGHT NUMBER 400-W-077069-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077069-00, W077070-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,105

WATER RIGHT NUMBER 4001-W-077070-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1940
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 6.39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	SE2NW 08 28N 38E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	SE2NW 08 28N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		SE2NW 08 28N 38E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,106

WATER RIGHT NUMBER 400-W-077070-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W07069-00, W07070-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-077071-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 28, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 6.95 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY DEGS
01 SWSEW 11 28N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSEW 11 28N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2SEW 11 28N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-W-077071-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077071-00, W077072-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-077072-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 29, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		S	25	ENW	11	28N	38E	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY				
01		DN	STREAM		S	25	ENW	11	28N	38E	VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY				
001						W	25	ENW	11	28N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,110

WATER RIGHT NUMBER 400 - W-077072-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077071-00, W077072-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT:NUMBER:400:--W-07073-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1948
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	NNWNE 14 28N 38E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	NNWNE 14 28N 38E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		NNWNE 14 28N 38E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,112

WATER RIGHT NUMBER 400 - V-077073-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
M077073-00. M077074-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,113

WATER RIGHT NUMBER: 4002-W-077074-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1948
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 NNNNE 14 28N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NNNNE 14 28N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NNNNE 14 28N 38E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 4002-W-077074-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077073-00, W077074-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAL LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,115

WATER RIGHT NUMBER 4001-V-077075-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 27, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 7.97 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SW	NW	15	28N	38E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM	SW	NW	15	28N	38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SE	NW	15	28N	38E	VALLEY
002			E2	NW	15	28N	38E	VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,116

WATER RIGHT NUMBER 400-W-077075-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077075-00, W077076-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1998) (THE BEAN LAKE CASE) THE *
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* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
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* *

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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,117

WATER RIGHT NUMBER 400-S-077076-00

IMPORTANT NOTICE

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OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF MILLER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 27, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWENW 15 28N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWENW 15 28N 38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWENW 15 28N 38E VALLEY
002 ENWAW 15 28N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,118

WATER RIGHT NUMBER 400-W-077076-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077075-00, W077076-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,119

WATER RIGHT NUMBER 400-M-077077-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 19, 1935
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NWSNW	15	28N	38E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM	NWSNW	15	28N	38E	VALLEY	

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SWNW	15	28N	38E	VALLEY	
002			NWSNW	15	28N	38E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,120

WATER RIGHT NUMBER 400 - W-077077-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077077-00, W077078-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,121

WATER RIGHT NUMBER 400-M-077078-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 19, 1935
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 8.59 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NWSNW	15	28N	30E	VALLEY	DAM

RESERVOIR:

	QTR SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM	NWSNW	15	28N	30E	VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY
001			SWSNW	15	28N	30E	VALLEY
002			NWSNW	15	28N	30E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3.122

WATER RIGHT NUMBER: 400g-V-077078-00g (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTER AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077077-00, W077078-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 875, BOZEMAN MT 59711-0875.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,123

WATER RIGHT NUMBER: 400-W-077079-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 26, 1935
TYPE OF HISTORICAL RIGHT: USE

ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 7.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIR SEC SEC IWP RGE COUNTY ----- MEANS
01 SWSESE 17 28N 38E VALLEY DAM
RESERVOIR:

----- QIR SEC SEC IWP RGE COUNTY -----
01 ONSTREAM SWSESE 17 28N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QIR SEC SEC IWP RGE COUNTY -----
001 SWSESE 17 28N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,124

WATER RIGHT NUMBER 400-M-077079-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
M077079-00. M077080-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,125

WATER RIGHT NUMBER 400-W-07080-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 26, 1935
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QIB SEC SEC TWP RGE COUNTY MEANS
01 SWSESE 17 28N 38E VALLEY DAM

RESERVOIR:

QIB SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSESE 17 28N 38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOI BLK QIB SEC SEC TWP RGE COUNTY
001 SWSESE 17 28N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,126

WATER RIGHT NUMBER 400-W-077080-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077079-00, W077080-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,127

WATER RIGHT NUMBER 4001-V-077081-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 28, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: 1.63 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 S2SESW 18 28N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWSTREAM S2SESW 18 28N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 S2SESW 18 28N 38E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,128

WATER RIGHT NUMBER 400 W-077081-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077081-00, W077082-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,129

WATER RIGHT NUMBER: 4003-W-077082-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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ADDRESSES: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 28, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 S2SESW 18 28N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM S2SESW 18 28N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 S2SESW 18 28N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-V-077082-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077081-00, W077082-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,131

WATER RIGHT NUMBER 400-W-077083-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 6.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				NENESW	22	28N	38E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			NENESW	22	28N 38E VALLEY

RESERVOIR/LAKE NAME: RESERVOIR NO. 168

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				E2NESW	22	28N	38E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PAGE 3.132

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077083-00. W077084-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *

X THERE IS A QUESTION AS TO THE VALIDITY OF THIS
 X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
 X AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE
 X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
 X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
 X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
 X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 873, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,133

WATER RIGHT NUMBER 4002-W-077084-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				NENESW	22	20N	30E	VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY	
01	ONSTREAM			NENESW	22	20N	30E	VALLEY

RESERVOIR/LAKE NAME: RESERVOIR NO. 160

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				E2NESW	22	20N	30E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER:RIGHT:NUMBER:400-W-077084-00:(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077083-00, W077084-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-506-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,135

WATER RIGHT NUMBER 400-S-077085-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 18, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		W2SESW	23	28N	38E	VALLEY	DAM	

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM	W2SESW	23	28N	38E	VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		W2SESW	23	28N	38E	VALLEY		

REMARKS:

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RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,136

WATER\$RIGHT\$NUMBER\$400\$-W-077085-00\$(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077085-00, W077086-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,137

WATER RIGHT NUMBER 4002-W-077086-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 18, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 W2SESW 23 28N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM W2SESW 23 28N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 W2SESW 23 28N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,138

WATER:RIGHT:NUMBER:400:W-077086-00:(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077085-00, W077086-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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P.O. BOX 879, BOZEMAN MT 59771-0875.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,139

WATER RIGHT NUMBER 400-W-077087-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 25, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NESWSW 24 28N 38E VALLEY DAN

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESWSW 24 28N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NESWSW 24 28N 38E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,140

WATER RIGHT NUMBER 4002-W-077087-002 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077087-00, W077088-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,141

WATER RIGHT NUMBER: 4002-W-077088-00

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 25, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 5.90 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC 1/4 RGE COUNTY ----- MEANS
01 NESWSW 24 28N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC 1/4 RGE COUNTY -----
01 ONSTREAM NESWSW 24 28N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC 1/4 RGE COUNTY -----
001 NESWSW 24 28N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,142

WATER RIGHT NUMBER 400-W-077088-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077087-00, W077088-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,143

WATER RIGHT NUMBER: 400-W-077089-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 5.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SESESE	27	28N	38E	VALLEY	DAM

RESERVOIR:

		QTR SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	SESESE	27	28N	38E	VALLEY

RESERVOIR/LAKE NAME: RESERVOIR NO. 145

PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY
001			SESE	27	28N	38E	VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

11/31/95
PAGE 3,144

WATER:RIGHT:NUMBER:400:W-077089-00:(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077089-00, W077090-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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PAGE 3,145

WATER RIGHT NUMBER 4003-W-077090-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SESESE	27	28N	38E	VALLEY			DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	SESESE	27	28N	38E	VALLEY

RESERVOIR/LAKE NAME: RESERVOIR NO. 145

PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SESE	27	28N	38E	VALLEY		

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* A 16

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,146

WATER RIGHT NUMBER 400-W-077090-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077090-00, W077090-00.

z THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, z
z DATA, OR ISSUES TO REPORT TO THE WATER COURT. z

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,147

WATER RIGHT NUMBER 400-W-077091-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 31, 1939
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				E2	NESE	32	28N	38E VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			E2	NESE	32	28N 38E VALLEY

RESERVOIR/LAKE NAME: RESERVOIR NO. 147

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					E2	NESE	32	28N 38E VALLEY	
002					SUNVSW	33	28N 38E VALLEY		

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,148

WATER RIGHT NUMBER 400-W-077091-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077091-00, W077092-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x x

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
x
x
x
x
x
x
x
x
x
x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,149

WATER RIGHT NUMBER 400-W-077092-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 31, 1939
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 E2NESE 32 28N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM E2NESE 32 28N 38E VALLEY
RESERVOIR/LAKE NAME: RESERVOIR NO. 147

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2NESE 32 28N 38E VALLEY
002 SWNW 33 28N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,150

WATER:RIGHT:NUMBER:400g-W-077092-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077091-00, W077092-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATERRIGHT#NUMBER#400#-W-077093-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 20, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK AIR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SESESE 33 20N 30E VALLEY DAM

RESERVOIR:

----- AIR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SESESE 33 20N 30E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK AIR SEC SEC TWP RGE COUNTY -----
001 SESESE 33 20N 30E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,152

WATER RIGHT NUMBER: 400g-W-077093-00g (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077093-00, W077094-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,153

WATER RIGHT NUMBER 4001-V-077094-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 20, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS
01 SESESE 33 28N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SESESE 33 28N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SESESE 33 28N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

03/31/95
PAGE 3,154

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077093-00. W077094-00.

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# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRG DURING ITS
# EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
# UNRESOLVED IF NO OBJECTIONS ARE FILED.
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THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION WILD WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,155

WATER RIGHT NUMBER: 400-W-077095-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 22, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SEN	NW	34	28N	38E	VALLEY DAM/PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01			SEN	NW	34	28N	38E	VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			S2	NW	34	28N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077095-00. W077096-00.

 1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
 2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
 3 UNRESOLVED IF NO OBJECTIONS ARE FILED.
 4 *****

1 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
2 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
3 AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE
4 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
5 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
6 WOULD BE RECOGNIZED FOR RECREATION, FISH AND
7 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-824-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,157

WATER RIGHT NUMBER: 4001-W-077096-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 22, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01 SENW 34 28N 38E VALLEY	DAM/PIT

RESERVOIR:

LOT BLK QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENW 34 28N 38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 S2SW 34 28N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,158

WATER RIGHT NUMBER 400 W-077096-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077095-00, W077096-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,159

WATER RIGHT NUMBER 400 W-077097-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 23, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SEMESE 35 28N 38E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SEMESE 35 28N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SEMESE 35 28N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,160

WATER RIGHT NUMBER 400-W-077097-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077097-00, W077098-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,161

WATER RIGHT NUMBER: 4002-W-077098-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 23, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENESE 35 28N 38E VALLEY PIT
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENESE 35 28N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENESE 35 28N 38E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,162

WATER RIGHT NUMBER 4001-W-077098-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077097-00, W077098-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,163

WATER RIGHT NUMBER 4001-W-077099-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 24, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			S2NWNE	35	28N	38E	VALLEY		PIT

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			S2NWNE	35	28N	38E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				S2NWNE	35	28N	38E	VALLEY	

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,164

WATER RIGHT NUMBER 400-W-077099-00 (CONTINUE)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077099-00, W077100-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

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YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,165

WATER RIGHT NUMBER 400X-W-077100-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 24, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC IWP RGE COUNTY MEANS -----

01 S2NWNE 35 28N 38E VALLEY PIT

RESERVOIR:

----- QTR SEC SEC IWP RGE COUNTY -----

01 ONSTREAM S2NWNE 35 28N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC IWP RGE COUNTY -----

001 S2NWNE 35 28N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,166

WATER RIGHT NUMBER 400-V-077100-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077099-00, W077100-00.

* THE DMC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,167

WATER RIGHT NUMBER 4003-W-077101-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY. UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 21, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS

01 NWNWSW 35 28N 38E VALLEY DAM/PT

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NWNWSW 35 28N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

00: NWNWSW 35 28N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* H 17

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-077101-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077101-00, W077102-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,169

WATER RIGHT NUMBER: 4002-W-077102-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

DNRC: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LITTLE BRAZIL CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 21, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK AIR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NW1/4SW 35 28N 38E VALLEY DAM/PI

RESERVOIR:

----- AIR SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM NW1/4SW 35 28N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK AIR SEC SEC TWP RGE COUNTY -----
001 NW1/4SW 35 28N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,170

WATER RIGHT NUMBER 400-W-077102-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077101-00, W077102-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,171

WATER RIGHT NUMBER 4002-W-077105-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 24, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NW1/4NE 13 29N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NW1/4NE 13 29N 35E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NW1/4NE 13 29N 35E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,172

WATER RIGHT NUMBER 400-W-077105-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077105-00, W077106-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,173

WATER RIGHT NUMBER: 400; W-077106-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 24, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS
01 MNWNE 13 29N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM MNWNE 13 29N 35E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 MNWNE 13 29N 35E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,174

WATER RIGHT NUMBER: 400-W-077106-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077105-00, W077106-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,175

WATER RIGHT NUMBER 400-W-077107-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 25, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SENESE	24	29N	35E	VALLEY	DAM

RESERVOIR:

QTR	SEC	SEC	TWP	RGE	COUNTY
01	DNSTREAM		SENESE	24	29N 35E VALLEY

RESERVOIR/LAKE NAME: COTTONWOOD COULEE RESERVOIR
CAPACITY: 25.00 AC-FT DAM HEIGHT: 20.00 FT SURFACE AREA: 3.91 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE DAM HEIGHT AND SURFACE AREA HAVE BEEN ESTIMATED
BY DNRC.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-077107-00 (CONTINUED)

PLACE OF USE CONTINUED:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SENESE	24	29N	35E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077107-00, W077108-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,177

WATER RIGHT NUMBER 400-W-077108-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 25, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 24.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SENESE	24	29N	35E	VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			SENESE	24	29N	35E VALLEY

RESERVOIR/LAKE NAME: COTTONWOOD COULEE RESERVOIR
CAPACITY: 25.0 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: 3.91 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE DAM HEIGHT AND SURFACE AREA HAVE BEEN ESTIMATED
BY DNRC.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

* C 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-077108-00 (CONTINUED)

PLACE OF USE CONTINUED:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SENESE	24	29N	35E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077107-00, W077108-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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1-800-624-3279 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,179

WATER RIGHT NUMBER 4002-W-077109-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BOB COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01	(GOUT)	8				NE	01	29N 36E VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM				NE	01 29N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	(GOUT)	8					NE	01 29N 36E VALLEY	

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,180

WATER RIGHT NUMBER W-077109-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077109-00, W077110-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1908) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,181

WATER RIGHT NUMBER 400-W-077110-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BOB COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LDI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01 (GOUT) B								NE 01 29N 36E VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 DOWSTREAM						NE 01 29N 36E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LDI	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001 (GOUT) B								NE 01 29N 36E VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* G 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,182

WATER RIGHT NUMBER 400-W-077110-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077109-00, W077110-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,183

WATER RIGHT NUMBER: 400-1-W-077111-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF MOTT COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----

01 NESWNW 03 29N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NESWNW 03 29N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SENWNW 03 29N 36E VALLEY
002 NESWNW 03 29N 36E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,184

WATER RIGHT NUMBER 400g-W-077111-00g (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077111-00, W077112-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

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YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,185

WATER\$RIGHT\$NUMBER\$400\$-W-077112-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF MOTT COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND BEAMS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY BEAMS -----
01 NESWNW 03 29N 36E VALLEY DAM

RESERVOIR:
----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESWNW 03 29N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SEMWNW 03 29N 36E VALLEY
002 NESWNW 03 29N 36E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,186

WATER:RIGHT:NUMBER:400:W-077112-00:(CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREEES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077111-00, W077112-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,187

WATER RIGHT NUMBER: 400-W-077113-00

IMPORTANT NOTICE

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OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: MOTT COWEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 24.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- DEOS

01 (GOUT) 9 NE 04 29N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM NE 04 29N 36E VALLEY
CAPACITY: ----- 89.0 AC-FT DAM HEIGHT: 33.51 SURFACE AREA: ----- 7.42 ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY
DNRC.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001	(GOUT)	9	NE	04	29N	36E	VALLEY
002	(GOUT)	7	NE	04	29N	36E	VALLEY
003	(GOUT)	10	NE	04	29N	36E	VALLEY

* M 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER: 400-W-077113-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077113-00, W077114-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA DNRC) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,189

WATER RIGHT NUMBER: 400-W-077114-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

- * SOURCE: MOTT COULEE
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GOUT) 9 NE 04 29N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NE 04 29N 36E VALLEY
CAPACITY: 89.0 AC-FT DAM HEIGHT: 33 FT SURFACE AREA: 7.92 ACRES

THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY
DNRC.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

- * PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOUT) 9 NE 04 29N 36E VALLEY
002 (GOUT) 7 NE 04 29N 36E VALLEY
003 (GOUT) 10 NE 04 29N 36E VALLEY

* 0 18

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,190

WATER RIGHT NUMBER 4002-Y-077114-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077113-00. W077114-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-565-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,191

WATER RIGHT NUMBER 400-W-077115-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: ANTELOPE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GOUT) 6 NW 06 29N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NW 06 29N 36E VALLEY

RESERVOIR/LAKE NAME: UR-79 RESERVOIR

CAPACITY: 42.1 AC-FT DAM HEIGHT: 17.51 SURFACE AREA: 8.03 ACRES

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOUT) 6 NW 06 29N 36E VALLEY
002 (GOUT) 5 NW 06 29N 36E VALLEY
* B 19

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,192

WATER RIGHT NUMBER 400-W-077115-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077115-00, W077116-00.

: THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,193

WATER RIGHT NUMBER: 400X-W-077116-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: ANTELOPE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 42.50 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GOUT) 6 NW 06 29N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NW 06 29N 36E VALLEY
RESERVOIR/LAKE NAME: UR-79 RESERVOIR
CAPACITY: 43.1 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: 8.03 ACES

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE: EOB WILDLIFE:

ACES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOUT) 6 NW 06 29N 36E VALLEY
002 (GOUT) 5 NW 06 29N 36E VALLEY

* D 19

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,194

WATER RIGHT NUMBER 400-W-077116-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077115-00, W077116-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X

THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
AREA, 294 MONT. 343 (1988) (THE BEAM LAKE CASE) THE X
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,195

WATER RIGHT NUMBER 400g-W-077117-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 05-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF HARDCRABBLE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 21, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 6.18 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SENE 09 29N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 UNSTREAM SENE 09 29N 36E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENE 09 29N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,196

WATER RIGHT NUMBER 400-V-077117-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077117-00, W077118-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXPLANATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT
TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,197

WATER RIGHT NUMBER 400-W-077118-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE(USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF HARDCRABBLE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 21, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SENE	09	29N	36E	VALLEY	DAM	

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM	SENE	09	29N	36E	VALLEY	

PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SENE	09	29N	36E	VALLEY		

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3.198

WATER RIGHT NUMBER 400-W-077118-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077117-00, W077118-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,199

WATER RIGHT NUMBER 400-D-077119-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF HARDCRABBLE CREEK

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWNW 12 29N 36E VALLEY DAM

RESERVED:

PLACE OF USE FOR STOCK:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED *
* AS THE CLAIMANT WITHDREW THE CLAIM. *

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT
ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN IN THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 3,000

WATER RIGHT NUMBER: 400-0-077120-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF HARDSCRABBLE CREEK

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNW 12 29N 36E VALLEY DAM

RESERVOIR:

PLACE OF USE FOR WILDLIFE:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

: THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED :
: AS THE CLAIMANT WITHDREW THE CLAIM. :

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT
ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,201

WATER RIGHT NUMBER 400-M-077121-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 05, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	Q18	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		E25	WNW	18	29N	36E	VALLEY	DAM

RESERVOIR:

LOT	BLK	Q18	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM	E25	WNW	18	29N	36E VALLEY

RESERVOIR/LAKE NAME: RUBY RESERVOIR

* PLACE OF USE FOR STOCK:

LOT	BLK	Q18	SEC	SEC	TWP	RGE	COUNTY
001		E25	WNW	18	29N	36E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,202

WATER RIGHT NUMBER: 400-W-077121-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077121-00, W077122-00.

: THE DARC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DARC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MLK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,203

WATER RIGHT NUMBER: 4001-W-077122-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 05, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 6.88 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 E2SWNW 18 29N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM E2SWNW 18 29N 36E VALLEY
RESERVOIR/LAKE NAME: RUBY RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 E2SWNW 18 29N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* N 19

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,204

WATER RIGHT NUMBER: 400-W-077122-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREEES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077121-00, W077122-00.

: THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS :
: EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN :
: UNRESOLVED IF NO OBJECTIONS ARE FILED. :
: :
: :
: THERE IS A QUESTION AS TO THE VALIDITY OF THIS :
: CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE :
: AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE :
: MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE :
: THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION :
: RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND :
: WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." :
: :
: *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

7/31/95
PAGE 3,205

WATER RIGHT NUMBER 4001-V-077123-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

DNRC'S: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: ANTELOPE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNTSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSNW 21 29N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNTSTREAM SWSNW 21 29N 36E VALLEY

RESERVOIR/LAKE NAME: UR-43 RESERVOIR
CAPACITY: 15.7 ACRES DAM HEIGHT: 10 FT SURFACE AREA: 5.0 ACRES

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 ESENE 20 29N 36E VALLEY
002 SWSNW 21 29N 36E VALLEY

*

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,206

WATER RIGHT NUMBER 4002-W-077123-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECRESES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077123-00, W077124-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED DECISION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,207

WATER RIGHT NUMBER: 400-W-077124-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: ANTELOPE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 15.08 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01							SWSNW 21 29N 36E VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01							ONSTREAM SWSNW 21 29N 36E VALLEY

RESERVOIR/LAKE NAME: UR-43 RESERVOIR
CAPACITY: 15.7 AC-FT DAM HEIGHT: 11 FT SURFACE AREA: 5.80 ACRES

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001							ESENE 20 29N 36E VALLEY	
002							SWSNW 21 29N 36E VALLEY	

* C 20

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,208

WATER RIGHT NUMBER 400-W-077124-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077123-00, W077124-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X X X X
X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X X X X X
X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,209

WATER RIGHT NUMBER 400-W-077125-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 27, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 7.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SESWSE 22 29N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SESWSE 22 29N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SESWSE 22 29N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,210

WATER RIGHT NUMBER 400-M-077125-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077125-00, W077126-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,211

WATER RIGHT NUMBER 400-W-077126-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 27, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESWSE 22 29N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESWSE 22 29N 36E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESWSE 22 29N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,212

WATER RIGHT NUMBER: 400-W-077126-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077125-00, W077126-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 3,213

WATER RIGHT NUMBER 4001-W-077127-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 12, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC TWP RGE COUNTY MEANS
01 NWNWSW 23 29N 36E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNWSW 23 29N 36E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNWSW 23 29N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,214

WATER RIGHT NUMBER 400-W-077127-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077127-00, W077128-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHALLENGE TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,215

WATER RIGHT NUMBER 4002-W-077128-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 12, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NW1/4SW 23 29N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NW1/4SW 23 29N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 NW1/4SW 23 29N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME MOUNT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,216

WATER RIGHT NUMBER 4001-V-077128-002 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREE THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077127-00, W077128-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,217

WATER RIGHT NUMBER: 4002-W-077129-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF HARDSCRABBLE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 02, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q1B SEC SEC 1WP RGE COUNTY MEANS
01 SENEWE 24 29N 36E VALLEY PIT

RESERVOIR:

Q1B SEC SEC 1WP RGE COUNTY
01 ONSTREAM SENEWE 24 29N 36E VALLEY
RESERVOIR/LAKE NAME: ANY RETENTION RESERVOIR

* PLACE OF USE FOR STOCK:

BLK SEC LOT BLK Q1B SEC SEC 1WP RGE COUNTY
001 SENEWE 24 29N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,218

WATER RIGHT NUMBER 400-W-077129-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077129-00, W077130-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,219

WATER RIGHT NUMBER 400-W-077130-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF HARDCRABBLE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 02, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 1.50 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SEWNNE 24 29N 36E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SEWNNE 24 29N 36E VALLEY
RESERVOIR/LAKE NAME: ANY RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SEWNNE 24 29N 36E VALLEY

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,220

WATER RIGHT NUMBER 400-M-077130-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077129-00, W077130-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1938) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
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* *

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,221

WATER RIGHT NUMBER 400-W-077131-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 02, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESESE 23 29N 36E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESESE 23 29N 36E VALLEY
RESERVOIR/LAKE NAME: ALVA RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESESE 23 29N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,222

WATER RIGHT NUMBER 400-W-077131-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077131-00, W077132-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1908) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59713-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,223

WATER RIGHT NUMBER 400-W-077132-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF ANELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 02, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESESE 23 29N 36E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESESE 23 29N 36E VALLEY
RESERVOIR/LAKE NAME: ALVA RETENTION RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESESE 23 29N 36E VALLEY

BEDD8K5:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 3,224

WATER RIGHT NUMBER 4002-W-077132-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077131-00, W077132-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,225

WATER RIGHT NUMBER: 400-1-W-077133-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 31, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 18.80 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSEW 25 29N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM NWSEW 25 29N 36E VALLEY
RESERVOIR/LAKE NAME: WIRE CUT RETENTION RESERVOIR
CAPACITY: 14.3 AC-FT DAM HEIGHT: 16 FT SURFACE AREA: 2.24 ACRES

SEE THE MONTANA WATER RESOURCES BOARD WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 NWSEW 25 29N 36E VALLEY
002 NWSEW 25 29N 36E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,226

WATER RIGHT NUMBER 4001-W-077133-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077133-00, W077134-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
X UNRESOLVED IF NO OBJECTIONS ARE FILED.
X
X
X
X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
X THAT UNDER MONTANA LAW BEFORE 1972, NO APPROPRIATION
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
X
X THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED
X PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.
X
X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,227

WATER RIGHT NUMBER: 400-W-077134-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 31, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY DEANS
01 NWSEW 25 29N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSEW 25 29N 36E VALLEY

RESERVOIR/LAKE NAME: WIRE CUT RETENTION RESERVOIR
CAPACITY: 19.3 AC-FT DAM HEIGHT: 16 FT SURFACE AREA: 2.24 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSEW 25 29N 36E VALLEY
002 NWSEW 25 29N 36E VALLEY

REMARKS:

* H 21

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,228

WATER RIGHT NUMBER: 400-W-077134-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077133-00, W077134-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,229

WATER RIGHT NUMBER: 400S-W-077135-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .39 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC IWP RGE COUNTY MEANS
01 NESWSW 32 29N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC IWP RGE COUNTY
01 DOWNSTREAM NESWSW 32 29N 36E VALLEY

RESERVOIR/LAKE NAME: UR-50 RESERVOIR
CAPACITY: 31.7 AC-FT DAM HEIGHT: 14 FT SURFACE AREA: 7.47 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC IWP RGE COUNTY
001 NESWSW 32 29N 36E VALLEY
002 NESWSW 32 29N 36E VALLEY

REMARKS:

* J 21

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,230

WATER RIGHT NUMBER 400-W-077135-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077135-00, W077136-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,231

WATER RIGHT NUMBER 400g-W-077136-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, SOUTH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 30.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK 018 SEC SEC 1WP BGE COUNTY MEANS
01 NESWSW 32 29N 36E VALLEY DAM

RESERVOIR:

018 SEC SEC 1WP BGE COUNTY
01 ONSTREAM NESWSW 32 29N 36E VALLEY

RESERVOIR/LAKE NAME: UR-50 RESERVOIR
CAPACITY: 31.7 AC-FT DAM HEIGHT: 14 FT SURFACE AREA: 7.97 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

ACRES-----LOI BLK 018 SEC SEC 1WP BGE COUNTY-----
001 NESWSW 32 29N 36E VALLEY
002 NESWSW 32 29N 36E VALLEY

REMARKS:

* L 21

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,232

WATER RIGHT NUMBER 400-W-077136-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077135-00, W077136-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED
PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA.

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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PAGE 3,233

WATER RIGHT NUMBER 400-W-077137-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 14, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWE 35 29N 36E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSWE 35 29N 36E VALLEY
RESERVOIR/LAKE NAME: TEARS RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWE 35 29N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

* N 21

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,234

WATER RIGHT NUMBER 400-W-077137-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077137-00, W077138-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,235

WATER RIGHT NUMBER 14002-W-077138-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 14, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q18 SEC 5F2 TWP 86E COUNTY MEANS
01 NWSWE 35 29N 36E VALLEY PIT

RESERVOIR:

Q18 SEC 5F2 TWP 86E COUNTY
01 ONSTREAM NWSWE 35 29N 36E VALLEY
RESERVOIR/LAKE NAME: TEARS RETENTION RESERVOIR

PLACE OF USE FOR STOCK:

ACRES LOT BLK Q18 SEC 5F2 TWP 86E COUNTY
001 NWSWE 35 29N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-077138-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077137-00, W077138-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN MT 59717-0679.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-W-077139-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BOB COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1930
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01	(GOUT)	6		NWSW	06	29N	37E	VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			NWSW	06	29N	37E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		(GOUT)	6		NWSW	06	29N	37E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,238

WATER RIGHT NUMBER 4005-W-077139-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077139-00, W077140-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-V-077140-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BOB COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1930
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 (GOVT) 6 NWS 06 29N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWS 06 29N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 (GOVT) 6 NWS 06 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

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REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS 1
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
* UNRESOLVED IF NO OBJECTIONS ARE FILED. 3

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-8270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN, MT. 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER: 400-0-077141-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BOB COULEE

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

101 BLK QTR SEC SEC TWP RGE COUNTY MEANS
O1 NWSW 06 29N 37E VALLEY DAM

RESERVOIR:

PLACE OF USE FOR STOCK:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED *
* AS THE CLAIMANT WITHDREW THE CLAIM. *

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT
ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,242

WATER RIGHT NUMBER: 400-0-077142-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNKNOWN TRIBUTARY OF BOB COULEE

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT 8, 1/4 SEC 36, TWP 86E, COUNTY 01
NWSW 06 29N 37E VALLEY DAM

RESERVOIR:

PLACE OF USE FOR WILDLIFE:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

: THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED :
: AS THE CLAIMANT WITHDREW THE CLAIM. :

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT
ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-824-3870 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 819, BOZEMAN MT 59711-0819.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER: 400-W-077143-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF HAY COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 10.58 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NESWNE	09	29N	37E	VALLEY		DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			NESWNE	09	29N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NESWNE	09	29N	37E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-W-077143-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077143-00, W077144-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
3 UNRESOLVED IF NO OBJECTIONS ARE FILED.
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6
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8 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
9 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
10 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
11 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
12 THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION
13 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
14 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
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18 A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
19 YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
20 FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
21 TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
22 OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
23 TO INDIAN RESERVED AND FEDERAL PRESERVED WATER RIGHTS.

24 COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
25 CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
26 "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

27 SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
28 YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
29 DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
30 AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
31 PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
32 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
33 P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELG WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 3,245

WATER RIGHT NUMBER: 400-W-077144-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

INNESS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF HAY COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWNE 09 29N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NESWNE 09 29N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 NESWNE 09 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* K 22

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,246

WATER RIGHT NUMBER 400 - W-077144-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077143-00, W077144-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,247

WATER RIGHT NUMBER 4002-W-077145-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 16, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNESE 15 29N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNESE 15 29N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNESE 15 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
SECTION 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,248

WATER RIGHT NUMBER 4001-W-077145-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077145-00, W077146-00.

: THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS :
: EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN :
: UNRESOLVED IF NO OBJECTIONS ARE FILED. :
: :
: :
: :
: THERE IS A QUESTION AS TO THE VALIDITY OF THIS :
: CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE :
: AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE :
: MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE :
: THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION :
: RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND :
: WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." :
: :
: *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,249

WATER RIGHT NUMBER 400-W-077146-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 16, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS							
01					S	N	W	E	15	29	N	37	E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY							
01					S	N	W	E	15	29	N	37	E	VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY						
001					S	N	W	E	15	29	N	37	E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,250

WATER RIGHT NUMBER 400-4-077146-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077145-00, W077146-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,251

WATER RIGHT NUMBER 400-W-077147-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF BOB COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 29, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 4.77 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NESWNW 17 29N 37E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 DNSTREAM NESWNW 17 29N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY

001 NESWNW 17 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,252

WATER RIGHT NUMBER 400-W-077147-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077147-00, W077148-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,253

WATER RIGHT NUMBER 400-W-077148-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF BOB COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 29, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

WDLUSE: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	NESWNW 17 29N 37E VALLEY	PIT

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	NESWNW 17 29N 37E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001	NESWNW 17 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,254

WATER RIGHT NUMBER 14001-W-077148-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077147-00, W077148-00.

1 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1
1 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,255

WATER RIGHT NUMBER 400-W-077149-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 E2NW4W 20 29N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM E2NW4W 20 29N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2NW4W 20 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,256

WATER RIGHT NUMBER 400-V-077149-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077149-00, W077150-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,257

WATER RIGHT NUMBER 4002-W-077150-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 E2NWNW 20 29N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 DNSTREAM E2NWNW 20 29N 37E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 E2NWNW 20 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,258

WATER RIGHT NUMBER 4003-W-677150-003 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077149-00, W077150-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,259

WATER RIGHT NUMBER 400g-W-077151-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

ADDRESSEE: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 02, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: 3.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENE 22 29N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWSTREAM SWSENE 22 29N 37E VALLEY

RESERVOIR/LAKE NAME: COW RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENE 22 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* J 23

03/31/95
PAGE 3,260

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077151-00. W077152-00.

 x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
 x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
 x UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
 AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE
 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,261

WATER RIGHT NUMBER: 400-W-077152-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 02, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS UNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01						SWSENE 22 29N 37E VALLEY	DAM

RESERVOIR:

	QTR SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM				SWSENE 22 29N 37E VALLEY

RESERVOIR/LAKE NAME: COW RETENTION RESERVOIR

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY
001						SWSENE 22 29N 37E VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,262

WATER RIGHT NUMBER 400-W-077152-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077151-00, W077152-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS,
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,263

WATER RIGHT NUMBER 400-W-077153-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE POINTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 15, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 2.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SE	SE	22	29N	37E	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			DNSTREAM		SE	SE	22 29N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SE	SE	22	29N	37E	VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,264

WATER RIGHT NUMBER 4005-W-077153-005 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077153-00, W077154-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,265

WATER RIGHT NUMBER 4001-V-077154-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 15, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				SESESE		22	29N	37E VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	DNSTREAM		SESESE		22	29N	37E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					SESESE		22	29N	37E VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,266

WATER RIGHT NUMBER 400-W-077154-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077153-00, W077154-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,267

WATER RIGHT NUMBER: 400-W-077155-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 21, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 134.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 W2SEW 30 29N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM W2SEW 30 29N 37E VALLEY

RESERVOIR/LAKE NAME: UR-14 RESERVOIR
CAPACITY: 135.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 31.30 ACRES

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 E2ERNE 25 29N 37E VALLEY
002 SUNW 30 29N 37E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,268

WATER RIGHT NUMBER 400X-W-077155-00 (CONTINUED)

PLACE OF USE CONTINUED:

003

S2NW 30 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077155-00, W077156-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4354, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,269

WATER RIGHT NUMBER: 400-V-077156-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 21, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	W2SEW 30 29N 37E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01	ONSTREAM W2SEW 30 29N 37E VALLEY

RESERVOIR/LAKE NAME: UR-14 RESERVOIR
CAPACITY: 135.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 31.30 ACRES

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		E2E2NE 25 29N 37E VALLEY
002		SWNW 25 29N 37E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,270

WATER RIGHT NUMBER 400-W-077156-00 (CONTINUED)

PLACE OF USE CONTINUED:

003

S2NW 30 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077155-00, W077156-00.

2 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2
2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,271

WATER RIGHT NUMBER 4002-W-077157-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QIB SEC SEC TWP RGE COUNTY MEANS

01 E2NWNW 30 29N 37E VALLEY DAM

RESERVOIR:

QIB SEC SEC TWP RGE COUNTY

01 ONSTREAM E2NWNW 30 29N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QIB SEC SEC TWP RGE COUNTY

001 E2NWNW 30 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,272

WATER RIGHT NUMBER 400-W-077157-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077157-00, W077158-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,273

WATER RIGHT NUMBER 400-W-077158-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND NGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 E2N4NW 30 29N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM E2N4NW 30 29N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2N4NW 30 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3,274

REMARKS CONTINUED:

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*****
# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS
# EXAMINATION OF THIS WATER RIGHT CLAIM.  THESE ISSUES MAY REMAIN
# UNRESOLVED IF NO OBJECTIONS ARE FILED.
#
#
#
# THERE IS A QUESTION AS TO THE VALIDITY OF THIS
# CLAIMED RIGHT.  IN THE MATTER OF THE DEARBORN DRAINAGE
# AREA, 234 MONT. 343 (1980) (THE BEHN LAKE CASE) THE
# MONTANA SUPREME COURT STATED THAT IT IS CLEAR THEREFORE
# THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
# RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
# WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,275

WATER RIGHT NUMBER 4001-W-077159-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTICE OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 15, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

_____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____	MEANS _____
01 NESWNW 31 29N 37E VALLEY	PIT

RESERVOIR:

_____ QTR SEC SEC TWP RGE COUNTY _____
01 ONSTREAM NESWNW 31 29N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

_____ ACRES _____ LOT BLK QTR SEC SEC TWP RGE COUNTY _____
001 NESWNW 31 29N 37E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,276

WATER RIGHT NUMBER 4002-W-077159-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077159-00, W077160-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1908) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
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* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,277

WATER RIGHT NUMBER 400-W-077160-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 15, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC SEC	TWP	RGE	COUNTY	MEANS
01		NESWNW	31	29N	37E	VALLEY PIT

RESERVOIR:

	QTR SEC SEC	TWP	RGE	COUNTY
01 DNSTREAM	NESWNW	31	29N	37E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK	QTR SEC SEC	TWP	RGE	COUNTY
001			N2SWNW	31	29N	37E VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3.278

WATER RIGHT NUMBER 400-W-077160-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077159-00, W077160-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

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MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,279

WATER RIGHT NUMBER 4002-W-077161-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 14, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS UNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QIR	SEC	SEC	INP	BGE	COUNTY	MEANS
01			SES	WNW	32	29N	37E	VALLEY	PIT

RESERVOIR:

	QIR	SEC	SEC	INP	BGE	COUNTY
01	ONSTREAM			SES	WNW	32 29N 37E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QIR	SEC	SEC	INP	BGE	COUNTY
001				SES	WNW	32	29N	37E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,280

WATER RIGHT NUMBER 7400-W-077161-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077161-00, W077162-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,281

WATER RIGHT NUMBER 400-W-077162-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 14, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	SESWNW 32 29N 37E VALLEY	PIT

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	SESWNW 32 29N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001	SESWNW 32 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,282

WATER RIGHT NUMBER 400-W-077162-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077161-00, W077162-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,283

WATER RIGHT NUMBER: 400g-W-077163-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 14, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.10 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNESE 32 29N 37E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNESE 32 29N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 NWNESE 32 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,284

WATER RIGHT NUMBER 400-W-077163-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077163-00, W077164-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,295

WATER RIGHT NUMBER 400 W-077164-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTICE OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 14, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNESE 32 29N 37E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM NWNESE 32 29N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNESE 32 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,286

WATER RIGHT NUMBER 400-W-077164-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077163-00, W077164-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,287

WATER RIGHT NUMBER: 400-W-077165-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 31, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSCREEN RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWSW 34 29N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSCREEN NWSWSW 34 29N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWSW 34 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,288

WATER RIGHT NUMBER 4001-W-077165-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077165-00, W077166-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,289

WATER RIGHT NUMBER: 400-W-077166-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 31, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NWSWSW 34 29N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWSTREAM NWSWSW 34 29N 37E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWSWSW 34 29N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,290

WATER RIGHT NUMBER 400-W-077166-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077165-00, W077166-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO
P.O. BOX 979, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,291

WATER RIGHT NUMBER 4005-W-077167-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 16, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOI BLK	DIR SEC	SEC	IWP	RGE	COUNTY	MEANS
01		NENENW	29	29N	38E	VALLEY	DAM

RESERVOIR:

		DIR SEC	SEC	IWP	RGE	COUNTY
01	ONSTREAM	NENENW	29	29N	38E	VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOI BLK	DIR SEC	SEC	IWP	RGE	COUNTY
001			NENENW	29	29N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,292

WATER RIGHT NUMBER 400-W-077167-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077167-00, W077168-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.-O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,293

WATER RIGHT NUMBER 4002-W-077168-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 16, 1997
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .84 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENENW 29 29N 30E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENENW 29 29N 30E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENENW 29 29N 30E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,294

WATER RIGHT NUMBER 4002-V-077168-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077167-00, W077168-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X

X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,295

WATER RIGHT NUMBER: 4001-V-077169-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 14, 1964
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENW 29 29N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSENW 29 29N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENW 29 29N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,296

WATER RIGHT NUMBER 4002-W-077169-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077169-00, W077170-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
x
x
x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/85
PAGE 3,297

WATER RIGHT NUMBER 4003-W-077170-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 14, 1964
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			S	W	S	29	29N	38E	VALLEY DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY				
01	ONSTREAM			S	W	S	29	29N	38E	VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
001				S	W	S	29	29N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,298

WATER RIGHT NUMBER 400-W-077170-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077169-00, W077170-00.

2 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2
2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,299

WATER RIGHT NUMBER 4001-W-077171-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: OCTOBER 31, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 4.98 GPM

VOLUME: 7.44 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

01 NESENE 01 29N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESENE 01 29N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077171-00, W077172-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,300

WATER RIGHT NUMBER 4001-W-077171-001 (CONTINUED)

REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* *

* THE PRIORITY DATE IS IN QUESTION - NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO *
* SUPPORT THIS CLAIM. *
* *
* *

* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LEAF CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

* VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND *
* PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 22.2 *
* HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO *
* INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS *
* FIGURE. *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,301

WATER RIGHT NUMBER 400-W-077172-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: OCTOBER 31, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 4.98 GPM

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIUELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY
01 NESENE 01 29N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESENE 01 29N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,302

WATER RIGHT NUMBER 400-W-077172-00 (CONTINUED)

REMARKS CONTINUED:

W077171-00, W077172-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM - THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* THE PRIORITY DATE IS IN QUESTION- NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO *
* SUPPORT THIS CLAIM. *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,303

WATER RIGHT NUMBER 400g-W-077173-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MOONEY COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC IWP RGE COUNTY ----- MEANS -----

01 NEWSE 07 29N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC IWP RGE COUNTY -----

01 ONSTREAM NEWSE 07 29N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC IWP RGE COUNTY -----

001 S2S2NE 07 29N 39E VALLEY
002 N2N2SE 07 29N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,304

WATER RIGHT NUMBER 400-W-077173-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077173-00, W077174-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,305

WATER RIGHT NUMBER 400-W-077174-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MOONEY COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC 1/4 RGE COUNTY MEANS
01 NEWSE 07 29N 39E VALLEY DAM
RESERVOIR:

QTR SEC SEC 1/4 RGE COUNTY
01 ONSTREAM NEWSE 07 29N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC 1/4 RGE COUNTY
001 S2S2NE 07 29N 39E VALLEY
002 N2N2SE 07 29N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,906

WATER RIGHT NUMBER 400-W-077174-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077173-00, W077174-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,307

WATER RIGHT NUMBER 400-M-077175-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: MONTANA, STATE OF BOARD OF LAND COMMISSIONER
DEPT OF STATE LANDS
PO BOX 201601
HELENA MT 59620-1601

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF RICHARDSON COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWE 09 29N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWE 09 29N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWE 09 29N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,308

WATER RIGHT NUMBER 4002-W-077175-002 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077175-00, W077176-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/09/84.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,309

WATER RIGHT NUMBER 400-W-077176-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER
DEPT OF STATE LANDS
PO BOX 201601
HELENA MT 59620-1601

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF RICHARDSON COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSSE 09 29N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSSE 09 29N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSSE 09 29N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,310

WATER RIGHT NUMBER 400-V-077176-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077175-00, W077176-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/09/84.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,311

WATER RIGHT NUMBER 400-W-077177-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JUNE 30, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS		
01			S	W	SE	13	29N	39E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY					
01			ONSTREAM			S	W	SE	13	29N	39E	VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY				
001						S	W	SE	13	29N	39E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 3,312

WATER RIGHT NUMBER 400-W-077177-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077177-00, W077178-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,313

WATER RIGHT NUMBER: 4001-W-077178-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JUNE 30, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSESE 13 29N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWSESE 13 29N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWSESE 13 29N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3,314

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
NO77177-00, NO77178-00.

 1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
 2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
 3 UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION WOULD BE RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,315

WATER RIGHT NUMBER 14001-W-077179-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER
DEPT OF STATE LANDS
PO BOX 201601
HELENA MT 59620-1601

PURPOSE (USE): WILDLIFE

SOURCE: RICHARDSON COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 08, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NENESW	20	29N	39E	VALLEY	DAM	

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM	NENESW	20	29N	39E	VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NENESW	20	29N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3.316

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/09/84.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
3 UNRESOLVED IF NO OBJECTIONS ARE FILED.
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THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 P.2D 34 (1960) THE BEAR LAKE CASE.) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 3,317

WATER RIGHT NUMBER: 400-W-077180-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER
DEPT OF STATE LANDS
PO BOX 201601
HELENA MT 59620-1601

PURPOSE (USE): STOCK

SOURCE: RICHARDSON COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 08, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
U1 NENESW 20 29N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENESW 20 29N 39E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENESW 20 29N 39E VALLEY

REMARKS:

* H 27

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,318

WATER RIGHT NUMBER 400-W-077180-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077179-00, W077180-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/09/84.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,319

WATER RIGHT NUMBER 400-W-077181-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: MARTIN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 12, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 2.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 NENWSE 22 29N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM NENWSE 22 29N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 NENWSE 22 29N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,320

WATER RIGHT NUMBER 400-W-077181-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077181-00, W077182-00.

: THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS :
: EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN :
: UNRESOLVED IF NO OBJECTIONS ARE FILED. :
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: THERE IS A QUESTION AS TO THE VALIDITY OF THIS :
: CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE :
: AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE :
: MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE :
: THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION :
: RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND :
: WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." :
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,321

WATER RIGHT NUMBER 400-W-077182-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: MARTIN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 12, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NENWSE	22	29N	39E	VALLEY		DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		NENWSE	22	29N	39E	VALLEY

PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NENWSE	22	29N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,322

WATER;RIGHT;NUMBER;400;-W-077182-00;(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077181-00, W077182-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,323

WATER RIGHT NUMBER 4002-W-077183-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF FOSS COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: NOVEMBER 30, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QIR SEC SEC TWP RGE COUNTY MEANS
01 E2NWNE 06 29N 40E VALLEY DAM/PIT

RESERVOIR:

QIR SEC SEC TWP RGE COUNTY
01 ONSTREAM E2NWNE 06 29N 40E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOI BLK QIR SEC SEC TWP RGE COUNTY
001 E2NWNE 06 29N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,324

WATER RIGHT NUMBER 400-W-077183-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077183-00, W077184-00.

1 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1
1 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES, CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624- (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 875, JAZZMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,325

WATER RIGHT NUMBER 400-W-077184-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF FOSS COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: NOVEMBER 30, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 E2NWNE 06 29N 40E VALLEY DAM/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 DNSTREAM E2NWNE 06 29N 40E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 E2NWNE 06 29N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
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REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077183-00. W077184-00.

: THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS :
: EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN :
: UNRESOLVED IF NO OBJECTIONS ARE FILED. :

1 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
2 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
3 AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE
4 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
5 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
6 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
7 WILDLIFE. EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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PAGE 3,327

WATER RIGHT NUMBER 400-W-077185-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 26.90 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWNESE 12 29N 40E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWNESE 12 29N 40E VALLEY

RESERVOIR/LAKE NAME: UR-71 RESERVOIR
CAPACITY: 27.5 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: 8.20 ACRES

THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC.

SEE THE BLN PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESE 12 29N 40E VALLEY

REMARKS:

* C 28

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,320

WATER RIGHT NUMBER 400-W-077185-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077185-00, W077186-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
3 UNRESOLVED IF NO OBJECTIONS ARE FILED.
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,329

WATER RIGHT NUMBER: 4001-W-077186-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

: PRIORITY DATE: DECEMBER 31, 1939
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

: POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNESE 12 29N 40E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNESE 12 29N 40E VALLEY

RESERVOIR/LAKE NAME: UR-71 RESERVOIR
CAPACITY: 27.5 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: 8.20 ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

: PLACE OF USE FOR STOCK:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 SWNESE 12 29N 40E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,330

WATER RIGHT NUMBER 400X-W-077186-00X (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077185-00, W077186-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,331

WATER RIGHT NUMBER: 400-0-077187-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY DEANS

01 SENW 12 29N 40E VALLEY PIT

RESERVOIR:

PLACE OF USE FOR STOCK:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED *
* AS THE CLAIMANT WITHDREW THE CLAIM. *

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,332

WATER RIGHT NUMBER: 400-D-077188-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS	
01			SE	NW	12	29N	40E	VALLEY	PIT

RESERVOIR:

PLACE OF USE FOR WILDLIFE:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED *
* AS THE CLAIMANT WITHDREW THE CLAIM. *

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT
ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 3,333

WATER RIGHT NUMBER 400-W-077189-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1973
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QIB SEC SEC	INP RGE	COUNTY	MEANS
01	NWSEW	12 29N	40E	VALLEY PIT

RESERVOIR:

QIB SEC SEC	INP RGE	COUNTY
01	ONSTREAM	NWSEW 12 29N 40E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT BLK	QIB SEC SEC	INP RGE	COUNTY
001		NWSEW	12 29N	40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,334

WATER RIGHT NUMBER 400-W-077189-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077189-00, W077190-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,335

WATER RIGHT NUMBER: 400-1-W-077190-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1973
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
O1 NWSEW 12 29N 40E VALLEY PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
O1 ONSTREAM NWSEW 12 29N 40E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
O01 NWSEW 12 29N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,336

WATER RIGHT NUMBER 400-00-077190-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077189-00, W077190-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

076977	A 01	077004	J 04	077031	D 08
076978	B 01	077005	K 04	077032	E 08
076978	C 01	077005	L 04	077032	F 08
076979	D 01	077006	M 04	077033	G 08
076979	E 01	077006	N 04	077033	H 08
076980	F 01	077007	O 04	077034	I 08
076980	G 01	077007	A 05	077034	J 08
076981	H 01	077008	B 05	077035	K 08
076981	I 01	077008	C 05	077035	L 08
076982	J 01	077009	D 05	077036	M 08
076982	K 01	077009	E 05	077036	N 08
076983	L 01	077010	F 05	077037	O 08
076983	M 01	077010	G 05	077037	A 09
076984	N 01	077011	H 05	077038	B 09
076984	O 01	077011	I 05	077038	C 09
076985	A 02	077012	K 05	077039	D 09
076985	B 02	077012	J 05	077039	E 09
076986	C 02	077013	L 05	077040	F 09
076986	D 02	077013	M 05	077040	G 09
076987	E 02	077014	N 05	077041	H 09
076987	F 02	077014	O 05	077041	I 09
076988	G 02	077015	A 06	077042	J 09
076988	H 02	077015	B 06	077042	K 09
076989	I 02	077016	C 06	077043	L 09
076989	J 02	077016	D 06	077043	M 09
076990	K 02	077017	E 06	077044	N 09
076990	L 02	077017	F 06	077044	O 09
076991	M 02	077018	G 06	077045	A 10
076991	N 02	077018	H 06	077045	B 10
076992	O 02	077019	I 06	077046	C 10
076992	A 03	077019	J 06	077046	D 10
076993	B 03	077020	K 06	077047	E 10
076993	C 03	077020	L 06	077047	F 10
076994	D 03	077021	M 06	077048	G 10
076994	E 03	077021	N 06	077048	H 10
076995	F 03	077022	O 06	077049	I 10
076995	G 03	077022	A 07	077049	J 10
076995	H 03	077023	B 07	077050	K 10
076995	I 03	077023	C 07	077050	L 10
076997	J 03	077024	D 07	077051	M 10
076997	K 03	077024	E 07	077051	N 10
076998	L 03	077025	F 07	077052	O 10
076998	M 03	077025	G 07	077052	A 11
076999	N 03	077026	H 07	077053	B 11
076999	O 03	077026	I 07	077053	C 11
077000	A 04	077027	J 07	077054	D 11
077000	B 04	077027	K 07	077054	E 11
077001	C 04	077028	L 07	077055	F 11
077001	D 04	077028	M 07	077055	G 11
077002	E 04	077029	N 07	077056	H 11
077002	F 04	077029	O 07	077056	I 11
077003	G 04	077030	A 08	077057	J 11
077003	H 04	077030	B 08	077057	K 11
077004	I 04	077031	C 08	077058	L 11

JSEQ=0008 BSEQ=0008 J5706021

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

077058	M 11	077085	G 15	077114	A 19
077059	M 11	077086	H 15	077115	B 19
077059	O 11	077086	I 15	077115	C 19
077060	A 12	077087	J 15	077116	D 19
077060	B 12	077087	K 15	077116	E 19
077061	C 12	077088	L 15	077117	F 19
077061	D 12	077088	M 15	077117	G 19
077062	E 12	077089	N 15	077118	H 19
077062	F 12	077089	O 15	077118	I 19
077063	G 12	077090	A 16	077119	J 19
077063	H 12	077090	B 16	077120	K 19
077064	I 12	077091	C 16	077121	L 19
077064	J 12	077091	D 16	077121	M 19
077065	K 12	077092	E 16	077122	N 19
077065	L 12	077092	F 16	077122	O 19
077066	M 12	077093	G 16	077123	A 20
077066	N 12	077093	H 16	077123	B 20
077067	O 12	077094	I 16	077124	C 20
077067	A 13	077094	J 16	077124	D 20
077068	B 13	077095	K 16	077125	E 20
077068	C 13	077095	L 16	077125	F 20
077069	D 13	077096	M 16	077126	G 20
077069	E 13	077096	N 16	077126	H 20
077070	F 13	077097	O 16	077127	I 20
077070	G 13	077097	A 17	077127	J 20
077071	H 13	077098	B 17	077128	K 20
077071	I 13	077098	C 17	077128	L 20
077072	J 13	077099	D 17	077129	M 20
077072	K 13	077099	E 17	077129	N 20
077073	L 13	077100	F 17	077130	O 20
077073	M 13	077100	G 17	077130	A 21
077074	N 13	077101	H 17	077131	B 21
077074	O 13	077101	I 17	077131	C 21
077075	A 14	077102	J 17	077132	D 21
077075	B 14	077102	K 17	077132	E 21
077076	C 14	077105	L 17	077133	F 21
077076	D 14	077105	M 17	077133	G 21
077077	E 14	077106	N 17	077134	H 21
077077	F 14	077106	O 17	077134	I 21
077078	G 14	077107	A 18	077135	J 21
077078	H 14	077107	B 18	077135	K 21
077079	I 14	077108	C 18	077136	L 21
077079	J 14	077108	D 18	077136	M 21
077080	K 14	077109	E 18	077137	N 21
077080	L 14	077109	F 18	077137	O 21
077081	M 14	077110	G 18	077138	A 22
077081	N 14	077110	H 18	077138	B 22
077082	O 14	077111	I 18	077139	C 22
077082	A 15	077111	J 18	077139	D 22
077083	B 15	077112	K 18	077140	E 22
077083	C 15	077112	L 18	077140	F 22
077084	D 15	077113	M 18	077141	G 22
077084	E 15	077113	N 18	077142	H 22
077085	F 15	077114	O 18	077143	I 22

JSEQ=0008 BSEQ=0008 J5706021

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

077143	J 22	077170	D 26
077144	K 22	077171	E 26
077144	L 22	077171	F 26
077145	M 22	077172	G 26
077145	N 22	077172	H 26
077146	O 22	077173	I 26
077146	A 23	077173	J 26
077147	B 23	077174	K 26
077147	C 23	077174	L 26
077148	D 23	077175	M 26
077148	E 23	077175	N 26
077149	F 23	077176	O 26
077149	G 23	077176	A 27
077150	H 23	077177	B 27
077150	I 23	077177	C 27
077151	J 23	077178	D 27
077151	K 23	077178	E 27
077152	L 23	077179	F 27
077152	M 23	077179	G 27
077153	N 23	077180	H 27
077153	O 23	077180	I 27
077154	A 24	077181	J 27
077154	B 24	077181	K 27
077155	C 24	077182	L 27
077155	D 24	077182	M 27
077156	E 24	077183	N 27
077156	F 24	077183	O 27
077157	G 24	077184	A 28
077157	H 24	077184	B 28
077158	I 24	077185	C 28
077158	J 24	077185	D 28
077159	K 24	077186	E 28
077159	L 24	077186	F 28
077160	M 24	077187	G 28
077160	N 24	077188	H 28
077161	O 24	077189	I 28
077161	A 25	077189	J 28
077162	B 25	077190	K 28
077162	C 25	077190	L 28
077163	D 25		
077163	E 25		
077164	F 25		
077164	G 25		
077165	H 25		
077165	I 25		
077166	J 25		
077166	K 25		
077167	L 25		
077167	M 25		
077168	N 25		
077168	O 25		
077169	A 26		
077169	P 26		
077170	C 26		

JSEQ=0008 BSEQ=0008 J5706021

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,337

WATER RIGHT NUMBER 400-4-077191-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF UHLAN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 27, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 15.50 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWNE 05 29N 41E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWNE 05 29N 41E VALLEY
CAPACITY: 16.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: 2.84 ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 E2NWNE 05 29N 41E VALLEY

REMARKS:

* A 01

03/31/95
PAGE 3,338

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077191-00. W077192-00.

 * THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
 * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
 * UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE. EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 8719, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,939

WATER RIGHT NUMBER 400-V-077192-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF UHLAN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 27, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .50 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q18 SEC SEC TWP RGE COUNTY MEANS
01 SENWNE 05 29N 41E VALLEY DAM

RESERVOIR:

Q18 SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWNE 05 29N 41E VALLEY
CAPACITY: 12.2 AC-FT DAM HEIGHT: 19.61 SURFACE AREA: 2.84 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK Q18 SEC SEC TWP RGE COUNTY
001 E2NWNE 05 29N 41E VALLEY
BEDROCK:

* C 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,340

WATER RIGHT NUMBER 400-W-077192-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077191-00, W077192-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,341

WATER RIGHT NUMBER 400-W-077193-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF TANK COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1956
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 E2SWNE 12 30N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM E2SWNE 12 30N 35E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNE 12 30N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* E 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,342

WATER RIGHT NUMBER 400-W-077193-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077193-00, W077194-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,343

WATER RIGHT NUMBER 400-W-077194-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF TANK COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1956
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 E2SWNE 12 30N 35E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM E2SWNE 12 30N 35E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWNE 12 30N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,344

WATER RIGHT NUMBER 400-W-077194-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077193-00, W077194-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,345

WATER RIGHT NUMBER 400 W-077195-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIB SEC SEC TWP RGE COUNTY ----- MEANS
01 NESWSW 35 30N 35E VALLEY DAM

RESERVOIR:

----- QIB SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESWSW 35 30N 35E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QIB SEC SEC TWP RGE COUNTY -----
001 NESWSW 35 30N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,346

WATER RIGHT NUMBER 400-W-077195-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077195-00, W077196-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,347

WATER RIGHT NUMBER 400-W-077196-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK, NORTH FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWSW 35 30N 35E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWSW 35 30N 35E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWSW 35 30N 35E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* K 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,348

WATER RIGHT NUMBER 400-W-077196-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077195-00, W077196-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,349

WATER RIGHT NUMBER: 400g-V-077197-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN IN THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF MILK RIVER
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1948
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .93 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NEWNE 08 30N 36E VALLEY DAM
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NEWNE 08 30N 36E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NEWNE 08 30N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,350

WATER RIGHT NUMBER 400 W-077197-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077197-00, W077198-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,351

WATER RIGHT NUMBER 400-W-077198-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF MILK RIVER
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1948
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.07 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWNE 08 30N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENWNE 08 30N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENWNE 08 30N 36E VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* 0 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,352

WATER RIGHT NUMBER 400-W-077198-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077197-00, W077198-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X
X X X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1975, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,353

WATER RIGHT NUMBER 400-W-077199-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: SPRING, TRIB OF ASH COULEE
SOURCE TYPE: GROUNDWATER
- * PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 4.98 GPM

VOLUME: 7.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWNE 17 30N 36E VALLEY DEVELOPED SPRING

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWNE 17 30N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077199-00, W077200-00

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 3,354

WATER RIGHT NUMBER 400-W-077199-CO (CONTINUED)

REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* VOLUME MAY BE EXCESSIVE, BASED ON THE FLOW RATE AND *
* PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 22.0 *
* HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO *
* INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS *
* FIGURE. *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANCES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 875, BOZEHAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING POPCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,355

WATER RIGHT NUMBER 400-W-077200-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

- * SOURCE: SPRING, TRIB OF ASH COULEE
SOURCE TYPE: GROUNDWATER
- * PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 4.98 GPM

- * VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC TWP RGE COUNTY MEANS

01 NWSWNE 17 30N 36E VALLEY DEVELOPED SPRING

- * PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC TWP RGE COUNTY

001 NWSWNE 17 30N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTER/ATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,356

WATER RIGHT NUMBER 400-W-077200-00 (CONTINUED)

REMARKS CONTINUED:

W077199-00, W077200-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,357

WATER RIGHT NUMBER 400-W-077201-00

INSTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ASH COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.78 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	N4NWSE 17 30N 36E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	N4NWSE 17 30N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		N4NWSE 17 30N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,358

WATER RIGHT NUMBER 400 W-077201-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077201-00, W077202-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1908) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,359

WATER RIGHT NUMBER 400-W-077202-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ASH COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				NWNWSE	17	30N	36E	VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	DOWNSTREAM			NWNWSE	17	30N	36E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					WNWSE	17	30N	36E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,360

WATER RIGHT NUMBER 400-W-077202-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077201-00, W077202-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,361

WATER RIGHT NUMBER 400-W-077203-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF BUFFALO COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1940
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWNE 27 30N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWNE 27 30N 36E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2SWNE 27 30N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,362

WATER RIGHT NUMBER 400-W-077203-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077203-00, W077204-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN MT 59771-0679.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,363

WATER RIGHT NUMBER 400--W-077204-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF BUFFALO COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1940
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 3.01 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----

01 NESWNE 27 30N 36E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM NESWNE 27 30N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 E2SWNE 27 30N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,364

WATER RIGHT NUMBER 400-W-077204-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077203-00, W077204-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOCZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 3,365

WATER RIGHT NUMBER 400-W-077205-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BOB COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NESWNE 29 30N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NESWNE 29 30N 36E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESWNE 29 30N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* N 02

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,366

WATER RIGHT NUMBER 400-W-077205-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077205-00, W077206-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,367

WATER RIGHT NUMBER 400-W-07206-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BOB COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWNE 29 30N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWNE 29 30N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESWNE 29 30N 36E VALLEY

BE088K5:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3,368

REMARKS CONTINUED:

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*****
* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
* UNRESOLVED IF NO OBJECTIONS ARE FILED.
*
*
*
*
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
* AREA, 234 MONTANA (1988) (THE BEHN RIVER CASE) THE
* MONTANA SUPREME COURT STATED "IT IS CLEAR THEREFORE
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO C.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,369

WATER RIGHT NUMBER 4002-W-077207-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF BUFFALO COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 09, 1944
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	NENNW 35 30N 36E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	NENNW 35 30N 36E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		NENNW 35 30N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,370

WATER RIGHT NUMBER 400-W-077207-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077207-00, W077208-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN MT 59717-0679.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,371

WATER RIGHT NUMBER 400-W-077208-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF BUFFALO COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 09, 1944
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWN 35 30N 36E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENWN 35 30N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENWN 35 30N 36E VALLEY
BENDBKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* E 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,972

WATER RIGHT NUMBER 400-W-077208-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077207-00, W077208-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,373

WATER RIGHT NUMBER 4002-W-077209-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 07, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SE	SE	SW	15	30N	38E	VALLEY DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		SE	SE	SW	15 30N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SE	SE	SW	15	30N	38E VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,374

WATER RIGHT NUMBER 400-W-077209-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077209-00, W077210-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,375

WATER RIGHT NUMBER 400-W-077210-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 07, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SE	SE	SW	15	30N	38E	VALLEY DAM

RESERVOIRS:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ON	ST	RE	AM		

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		SE	SE	SW	15	30N	38E	VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,376

WATER RIGHT NUMBER 400-W-077210-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077209-00, W077210-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,377

WATER RIGHT NUMBER 400-077211-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DMRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CHAPMAN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	SWSME 25 30N 38E VALLEY	OPM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	SWSME 25 30N 38E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001	SWSME 25 30N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* K 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,378

WATER RIGHT NUMBER 400-W-077211-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077211-00, W077212-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,379

WATER RIGHT NUMBER 4002-W-077212-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CHAPMAN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1952
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----

01 SWSWNE 25 30N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SWSWNE 25 30N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWNE 25 30N 38E VALLEY

REMARKS:

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* M 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,380

WATER#RIGHT#NUMBER#400#-W-077212-00#(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077211-00, W077212-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,381

WATER RIGHT NUMBER 4001-W-077213-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 06, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 16.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SE	NW	27	30N	38E	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			SE	NW	27	30N	38E

ONSTREAM

RESERVOIR/LAKE NAME: BEN RETENTION RESERVOIR
CAPACITY: 17.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: 3.10 ACRES

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SE	NW	27	30N	38E

REMARKS:

* 0 03

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

W077213-00, W077214-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,383

WATER RIGHT NUMBER 14001-W-077214-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 06, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SENWNE 27 30N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SENWNE 27 30N 38E VALLEY

RESERVOIR/LAKE NAME: BEN RETENTION RESERVOIR
CAPACITY: 17.0 AC-FT DAM HEIGHT: 17 FT SURFACE AREA: 3.10 ACRES

THE SURFACE AREA HAS BEEN ESTIMATED BY DNRC.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NE 27 30N 38E VALLEY

REMARKS:

* B 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,384

WATER RIGHT NUMBER 400-W-077214-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077213-00, W077214-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,385

WATER RIGHT NUMBER 400-M-077215-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 07, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.88 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				SENWNE	34	30N	38E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			SENWNE	34	30N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SENWNE	34	30N	38E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,386

WATER RIGHT NUMBER 400-W-077215-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077215-00, W077215-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,387

WATER RIGHT NUMBER 400-W-077216-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 35800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ANTELOPE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 07, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENWNE 34 30N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWNE 34 30N 38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENWNE 34 30N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,388

WATER RIGHT NUMBER 400-W-077215-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077215-00, W077216-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,389

WATER RIGHT NUMBER: 400-W-077217-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1948
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 14.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q18 SEC SEC TWP RGE COUNTY MEANS

01 NESENW 03 30N 39E VALLEY DAM

RESERVOIR:

Q18 SEC SEC TWP RGE COUNTY

01 ONSTREAM NESENW 03 30N 39E VALLEY

SEE THE MONTANA WATER RESOURCES BOARD WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK Q18 SEC SEC TWP RGE COUNTY

001 WPNWNE 03 30N 39E VALLEY
002 NESENW 03 30N 39E VALLEY
003 NESENW 03 30N 39E VALLEY

REMARKS:

* H 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,390

WATER RIGHT NUMBER 400g-W-077217-00g (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077217-00, W077218-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,391

WATER RIGHT NUMBER 400-W-077218-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1948
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NESENW	03	30N	39E	VALLEY	DAM	

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		DNSTREAM	NESENW	03	30N	39E	VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			W2NWNE	03	30N	39E	VALLEY	
002			SENEWN	03	30N	39E	VALLEY	
003			NESENW	03	30N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,392

WATER RIGHT NUMBER 400g-V-077218-00g (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077217-00, W077218-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,993

WATER RIGHT NUMBER 400X-W-077219-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 12, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 E2NWNE 04 30N 39E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM E2NWNE 04 30N 39E VALLEY
PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWNE 04 30N 39E VALLEY
BENDBKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

J3/31/95
PAGE 3,394

WATER RIGHT NUMBER 400-W-077219-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077219-00, W077220-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,395

WATER RIGHT NUMBER 400-W-077220-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 12, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 E2NWNE 04 30N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM E2NWNE 04 30N 39E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWNE 04 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* N 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,396

WATER RIGHT NUMBER 400-W-077220-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077219-00, W077220-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,397

WATER RIGHT NUMBER 400-W-077221-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MOONEY COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 11, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				SESENE	05	30N	39E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			SESENE	05	30N 39E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SWSNW	04	30N	39E	VALLEY	
002				NWNSW	04	30N	39E	VALLEY	
003				SESENE	05	30N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,398

WATER RIGHT NUMBER 400-W-077221-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077221-00, W077222-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,399

WATER RIGHT NUMBER 400-W-077222-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA CDEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MOONEY COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 11, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 8.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SESENE	05	30N	39E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			ONSTREAM			SESENE	05 30N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			545WNW	04	30N	39E	VALLEY	
002			NNWNW	04	30N	39E	VALLEY	
003			SESENE	05	30N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,400

WATER RIGHT NUMBER 400-W-077222-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077221-00, W077222-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-536-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,401

WATER RIGHT NUMBER 400-W-077223-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: SPRING CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWNE 07 30N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSWNE 07 30N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWNE 07 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,402

WATER RIGHT NUMBER 400-W-077223-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077223-00, W077224-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,403

WATER RIGHT NUMBER 4002-W-077224-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: SPRING CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QIB SEC SEC TWP RGE COUNTY MEANS
01 SWSWNE 07 30N 39E VALLEY DAM

RESERVOIR:

QIB SEC SEC TWP RGE COUNTY
01 DOWNSTREAM SWSWNE 07 30N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QIB SEC SEC TWP RGE COUNTY
001 SWSWNE 07 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,404

WATER RIGHT NUMBER: 400g-W-077224-00g (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077223-00, W077224-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,405

WATER RIGHT NUMBER 400-W-077225-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: WIRE GRASS COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWW 07 30N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM SWW 07 30N 39E VALLEY

RESERVOIR/LAKE NAME: CORNWELL RESERVOIR
CAPACITY: 586,000 CU FT DAM HEIGHT: 26 FT SURFACE AREA: 45.00 ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY
WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR
DATA.

THE SURFACE AREA AND CAPACITY HAVE BEEN ESTIMATED BY
DNRC.

PLACE OF USE FOR STOCK:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 SWW 06 130N 05 VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,406

WATER RIGHT NUMBER: 400-1-W-07725-00 (CONTINUED)

PLACE OF USE CONTINUED:

002

W2NW 07 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W07725-00, W07726-00.

X THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, X
X DATA, OR ISSUES TO REPORT TO THE WATER COURT. X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,407

WATER RIGHT NUMBER: 4003-W-077226-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: WIRE GRASS COULEE
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: DECEMBER 31, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: 585.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWW 07 30N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWW 07 30N 39E VALLEY

RESERVOIR/LAKE NAME: CORNWELL RESERVOIR
CAPACITY: 585.0 AC-FT DAM HEIGHT: 26 FT SURFACE AREA: 45.00 ACRES

SEE THE MONTANA WATER RESOURCES BOARD DAM INVENTORY WORKSHEET IN THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

THE CAPACITY AND SURFACE AREA HAVE BEEN ESTIMATED BY DNRC.

PLACE DE USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SWW 06 30N 09E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,408

WATER RIGHT NUMBER 400-W-077226-00 (CONTINUED)

PLACE OF USE CONTINUED:

002

W2NW 07 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECRESES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077225-00, W077226-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
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* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARAL PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,409

WATER RIGHT NUMBER 400-W-077227-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MOONEY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 10, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SE	SW	08	30N	39E	VALLEY DAM

RESERVOIR:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			DN	STREAM		SE	SW	08 30N 39E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					SE	SW	08	30N	39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,410

WATER;RIGHT;NUMBER;400;W-077227-00;(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077227-00, W077228-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,411

WATER RIGHT NUMBER 400-W-077228-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MOONEY COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 10, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENESW 08 30N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENESW 08 30N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENESW 08 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,412

WATER RIGHT NUMBER 400-W-077228-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077227-00, W077228-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1989) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59731-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,413

WATER RIGHT NUMBER 400-V-077229-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 01, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENWSE 10 30N 39E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENWSE 10 30N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NENWSE 10 30N 39E VALLEY
002 NENWSE 10 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,414

WATER RIGHT NUMBER 400-V-077229-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077229-00, W077230-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,415

WATER RIGHT NUMBER 400-V-077230-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 01, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01								NENWSE 10 30N 39E VALLEY	DAM

RESERVOIR:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM								NENWSE 10 30N 39E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001								NENWSE 10 30N 39E VALLEY	
002								NENWSE 10 30N 39E VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,416

WATER₂RIGHT₂NUMBER₂400₂-W-077230-00₂(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077229-00, W077230-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,417

WATER RIGHT NUMBER 4001-V-077231-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SCHOOL SECTION COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: AUGUST 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- BEANS
01 SENWE 11 30N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SENWE 11 30N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENWE 11 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3,418

REMARKS CONTINUED:

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*****
# THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
# EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
# UNRESOLVED IF NO OBJECTIONS ARE FILED.
#
#
#
#
# THERE IS A QUESTION AS TO THE VALIDITY OF THIS
# CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
# AREA, 234 MONT. 34 (1988) (THE BEAN LAW CASE) THE
# MONTANA SUPREME COURT STATED "IT IS CLEAR THEREFORE
# THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
# RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
# WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
#
#
#
*****

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,419

WATER RIGHT NUMBER: 4008-W-077232-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTICE OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SCHOOL SECTION COWLEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: AUGUST 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SENWSE 11 30N 39E VALLEY DAM
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SENWSE 11 30N 39E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENWSE 11 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* H 06

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,420

WATER RIGHT NUMBER 400-W-077232-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077231-00, W077232-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,421

WATER RIGHT NUMBER: 400-077233-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CHALLENGED IN AN ACTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: SPRING, TRIB OF SCHOOL SECTION COULEE
SOURCE TYPE: GROUNDWATER
- * PRIORITY DATE: DECEMBER 31, 1960
TYPE OF HISTORICAL RIGHT: USE
- * FLOW RATE: THE FLOW RATE AND VOLUME ARE LIMITED TO THE MINIMUM AMOUNTS NECESSARY TO SUSTAIN THIS PURPOSE. THIS RIGHT SHALL CONTINUE TO BE UTILIZED IN ACCORDANCE WITH HISTORICAL PRACTICES.
- * VOLUME:
PERIOD OF USE: JANUARY 01 TO DECEMBER 31
- * POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 MESWME 11 30N 39E VALLEY DEVELOPED SPRING

- * PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 MESWME 11 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,422

WATER RIGHT NUMBER: 400-W-077233-00 (CONTINUED)

REMARKS CONTINUED:

W077233-00, W077234-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,423

WATER RIGHT NUMBER 400-W-077234-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: SPRING, TRIB OF SCHOOL SECTION COULEE
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1960
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 1.97 GPM

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NESWNE 11 30N 39E VALLEY DEVELOPED SPRING

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NESWNE 11 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,424

WATER RIGHT NUMBER 400-W-077234-00 (CONTINUED)

REMARKS CONTINUED:

W077233-00, W077234-00.

* THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,425

WATER RIGHT NUMBER 400-M-077235-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: SCHOOL SECTION COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
(TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 5.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SENE SW	12	30N	39E	VALLEY	DAM

RESERVOIR:

	QTR SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	SENE SW	12	30N	39E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY
001			SENE SW	12	30N	39E	VALLEY

REMARKS:

AUTHORIZATION TO CHANGE POINT OF DIVERSION, PLACE OF
STORAGE AND PLACE OF USE COMPLETED 10-08-87. FILE
REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY, 1973.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,426

WATER RIGHT NUMBER 400-W-077235-00 (CONTINUED)

REMARKS CONTINUED:

APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077235-00, W077236-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4354, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,427

WATER RIGHT NUMBER 400-W-077236-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." - UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: SCHOOL SECTION COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SENESW	12	30N	39E	VALLEY	DAM

RESERVOIR:

	QTR SEC	SEC	TWP	RGE	COUNTY
01 DNSTREAM	SENESW	12	30N	39E	VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY
001			SENESW	12	30N	39E	VALLEY

REMARKS:

AUTHORIZATION TO CHANGE POINT OF DIVERSION, PLACE OF
STORAGE AND PLACE OF USE COMPLETED 10/08/87. FILE
REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,428

WATER RIGHT NUMBER 400-W-077236-00 (CONTINUED)

REMARKS CONTINUED:

APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077235-00, W077236-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,429

WATER RIGHT NUMBER 4002-W-077237-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MOONEY COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 11, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SES	WNW	17	30N	39E	VALLEY DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DN	STREAM		SES	WNW	17 30N 39E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SES	WNW	17	30N	39E	VALLEY

BEDDINGS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,430

WATER RIGHT NUMBER W-077237-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077237-00, W077238-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,491

WATER RIGHT NUMBER 400-W-077238-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MOONEY COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 11, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SESWNW 17 30N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SESWNW 17 30N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SESWNW 17 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,432

WATER RIGHT NUMBER 400-W-077238-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077237-00, W077238-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,433

WATER:RIGHT:NUMBER:400:W-077239-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 1.97 GPM

VOLUME: 2.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

----- LOT BLK QIR SEC SEC TWP RGE COUNTY -----

01 NENWSE 17 30N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QIR SEC SEC TWP RGE COUNTY -----

001 NENWSE 17 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077239-00, W077240-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 3,434

WATER RIGHT NUMBER 400g-W-077239-00g (CONTINUED)

REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *

* THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO *
* SUPPORT THIS CLAIM. *
* * * * *

* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

* VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND *
* PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 19.7 *
* HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO *
* INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS *
* FIGURE. *
* * * * *

* A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING *
* YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, *
* FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT *
* TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO *
* OTHER RIGHTS IN YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT *
* TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS. *
* * * * *

* COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS *
* CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED *
* "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." *
* * * * *

* SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF *
* YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE *
* DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF *
* AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT *
* PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING *
* 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO *
* P.O. BOX 879, BOZEMAN MT 59711-0879. *
* * * * *

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,435

WATER RIGHT NUMBER 400-W-077240-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 1.97 GPM

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
01 MENWSE 17 30N 39E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 MENWSE 17 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,436

WATER RIGHT NUMBER: W-077240-00 (CONTINUED)

REMARKS CONTINUED:

W077239-00, W077240-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO *
* SUPPORT THIS CLAIM. *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,437

WATERRIGHT#NUMBER#400#-W-077241-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: JANUARY 11, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 4.98 GPM

VOLUME: 7.42 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
01 SENWSE 18 30N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENWSE 18 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077241-00, W077242-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,438

WATER RIGHT NUMBER 400g-W-077241-00g (CONTINUED)

REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *

* THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED *
* TO SUPPORT THIS CLAIM. *
* * * * *

* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* RRER, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

* VOLUME MAY BE EXCESSIVE. BASED ON THE FLOW RATE AND *
* PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 22.1 *
* HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO *
* INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS *
* FIGURE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,439

WATER RIGHT NUMBER: 400-W-077240-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE(USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: JANUARY 11, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 4.98 GPM

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

LOI BLK. QIR SEC. SEC. TWP. RGE. COUNTY

01 SENSE 18 30N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOI BLK. QIR SEC. SEC. TWP. RGE. COUNTY

001 SENSE 18 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

* M 07

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,440

WATER RIGHT NUMBER 400-W-077242-00 (CONTINUED)

REMARKS CONTINUED:

W077241-00, W077242-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x
x x x
x THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS x
x REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED x
x TO SUPPORT THIS CLAIM. x
x x x
x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE: 3,441

WATER RIGHT NUMBER: 400-W-077243-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTICE OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIB SEC SEC TWP RGE COUNTY MEANS -----
01 NENENE 23 30N 39E VALLEY DAM
RESERVOIR:

----- QIB SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NENENE 23 30N 39E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QIB SEC SEC TWP RGE COUNTY -----
001 SESESE 14 30N 39E VALLEY
002 NENENE 23 30N 39E VALLEY
REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,442

WATER RIGHT NUMBER 400-W-077243-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077243-00, W077244-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,443

WATER RIGHT NUMBER 400-W-077244-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS
01 NENENE 23 30N 39E VALLEY DAM
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NENENE 23 30N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SESESE 14 30N 39E VALLEY
002 NENENE 23 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 08

03/31/95
PAGE 3.444

REMARKS CONTINUED:

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*****
* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
* EXAMINATION OF THIS WATER RIGHT CLAIM.  THESE ISSUES MAY REMAIN
* UNRESOLVED IF NO OBJECTIONS ARE FILED.
*
*
*
*
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS
* CLAIMED RIGHT.  IN THE MATTER OF THE DEARBORN DRAINAGE
* AREA, 234 MONT. 343 (1908) OF THE BEAN LAKE CREEK
* MONTANA SUPREMACY WATER RIGHT OF "IT IS CLEARLY THEREFORE
* UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,445

WATER RIGHT NUMBER 400-W-077245-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF FOSS COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: AUGUST 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	TWP	RGE	COUNTY	MEANS
01			SESWNE	24	30N	39E	VALLEY	DAM

RESERVOIR:

		QTR	SEC	TWP	RGE	COUNTY
01	ONSTREAM	SESWNE	24	30N	39E	VALLEY

PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	TWP	RGE	COUNTY
001				SWNE	24	30N	39E	VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,446

WATER:RIGHT:NUMBER:400:W-077245-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077245-00, W077246-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,447

WATER RIGHT NUMBER: 400g-W-077246-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF FOSS COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: AUGUST 31, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SESWNE 24 30N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SESWNE 24 30N 39E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNE 24 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,448

WATER\$RIGHT\$NUMBER\$400\$-W-077246-00\$(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077245-00. W077246-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,449

WATER RIGHT NUMBER: 4003-W-077247-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: SCHOOL SECTION COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 02, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NESEMW 25 30N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESEMW 25 30N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NESEMW 25 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* H 08

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,450

WATER RIGHT NUMBER 4001-W-077247-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077247-00, W077248-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X

X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,451

WATER RIGHT NUMBER: 4002-W-077248-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION BS-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: SCHOOL SECTION COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 02, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSIDE RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESEMW 25 30N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSIDE NESEMW 25 30N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESEMW 25 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,452

WATER RIGHT NUMBER 400g-W-077248-00g (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077247-00, W077248-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,453

WATER RIGHT NUMBER 4001-W-077249-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: MARTIN COULEE
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: DECEMBER 31, 1958
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 8.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- CANS
01 SWNEW 27 30N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM SWNEW 27 30N 39E VALLEY

- * PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
00) SWNEW 27 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,454

WATER RIGHT NUMBER 4002-W-077249-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077249-00, W077250-00.

: THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS :
: EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN :
: UNRESOLVED IF NO OBJECTIONS ARE FILED. :
: :
: :
: :
: :
: THERE IS A QUESTION AS TO THE VALIDITY OF THIS :
: CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE :
: AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE :
: MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE :
: THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION :
: RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND :
: WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." :
: :
: :
: *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-629-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,455

WATER RIGHT NUMBER: 400-W-077250-03

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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DNRC'S: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: MARTIN COLLEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1958
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 SWNEW 27 30N 39E VALLEY CAN

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DOWNSTREAM SWNEW 27 30N 39E VALLEY

* ELBCE DE USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWNEW 27 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 407
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,456

WATER RIGHT NUMBER W-077250-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077249-00, W077250-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 875, BOZEMAN MT 59771-0875.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,457

WATER RIGHT NUMBER 400-4-077251-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MOONEY COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWNEW 29 30N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NWNEW 29 30N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWNEW 29 30N 39E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,458

WATER RIGHT NUMBER 400-V-077251-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077251-00, W077252-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,459

WATER RIGHT NUMBER 400g-W-077252-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA COEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MOONEY COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NW	NE	SW	29	30N	39E	VALLEY DAM

RESERVOIR:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			NW	NE	SW	29	30N 39E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NW	NE	SW	29	30N 39E	VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,460

WATER RIGHT NUMBER 400-V-077252-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077251-00, W077252-00.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,461

WATER RIGHT NUMBER 4002-W-07753-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF MOONEY COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND TERMS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- TERMS
01 N45NW 32 30N 39E VALLEY DAM
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM N45NW 32 30N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 N45NW 32 30N 39E VALLEY
BENEFITS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,462

WATER RIGHT NUMBER: 400-V-077253-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077253-00, W077254-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1998) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,463

WATER RIGHT NUMBER: 400g-W-077254-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." - UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF MOONEY COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NWSNW 32 30N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWSNW 32 30N 39E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWSNW 32 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,464

WATER RIGHT NUMBER 400-W-077254-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077253-00, W077254-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,465

WATER RIGHT NUMBER: 400-W-077255-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION BS-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF RICHARDSON COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 40.14 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIR SEC SEC TWP RGE COUNTY DEANS -----
01 NWSEW 33 30N 39E VALLEY DAM
RESERVOIR:

----- QIR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWSEW 33 30N 39E VALLEY
CAPACITY: 11.0 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: 8.12 ACRES
THE DAM EXTENDS INTO SWNEW SEC 33 TWP 30N RGE 39E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QIR SEC SEC TWP RGE COUNTY -----
001 SWNEW 33 30N 39E VALLEY
002 NWSEW 33 30N 39E VALLEY

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

W077255-00. W077256-00.

1 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
2 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
3 AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE
4 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
5 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
6 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
7 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,467

WATER RIGHT NUMBER: 4002-W-077256-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 05-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF RICHARDSON COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 NWSEW 33 30N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWSEW 33 30N 39E VALLEY
CAPACITY: ----- 41.0 AC-EI DAM HEIGHT: 20 EI SURFACE AREA: ----- 8.12 ACRES

THE DAM EXTENDS INTO THE SWNESEW SEC 33 TWP 30N RGE 39E
VALLEY COUNTY.

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC.

* PLACE DE USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNESEW 33 30N 39E VALLEY
002 NWSEW 33 30N 39E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,468

WATER RIGHT NUMBER 4002-W-077256-002 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077255-00, W077256-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT
TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,469

WATER RIGHT NUMBER: 4001-W-077257-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SFC SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF MARTIN COWLEY
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 03, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

01 SESESW 35 30N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SESESW 35 30N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SESESW 35 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 09

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,470

WATER RIGHT NUMBER 400 - W-077257-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077257-00, W077258-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH P. MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANCES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0679.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 300
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,471

WATER RIGHT NUMBER: 4002-W-077258-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF MARTIN LOULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 03, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY M9NS -----
01 SESESW 35 30N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM SESESW 35 30N 39E VALLEY

* PLACE OF USE E.G. STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SESESW 35 30N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* 0 09

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,472

WATER RIGHT NUMBER 400-W-077258-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077257-00, W077258-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,473

WATER RIGHT NUMBER 4002-W-077259-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

* OWNERS: VALLEY, COUNTY OF
PO BOX 311
501 COURT SQ
GLASSBORO MT 59230

PURPOSE (USE): WILDLIFE

* SOURCE: SPRING COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 29, 1935
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.16 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESWNE 04 30N 40E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESWNE 04 30N 40E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESWNE 04 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* B 10

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,474

WATER RIGHT NUMBER 400-M-077259-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077259-00, W077260-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/09/84.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
X
X
X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,475

WATER RIGHT NUMBER 400-W-077260-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

* OWNERS: VALLEY, COUNTY OF
PO BOX 311
501 COURT SQ
GLASGOW MT 59230

PURPOSE (USE): STOCK

* SOURCE: SPRING COULEE
SOURCE TYPE: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES GROUNDWATER FROM A
DEVELOPED SPRING IN THE SE3/4 SEC 04 TWP 30N RGE 40E
VALLEY COUNTY.

PRIORITY DATE: NOVEMBER 29, 1935
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SE3/4 SEC 04 30N 40E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SE3/4 SEC 04 30N 40E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SE3/4 SEC 04 30N 40E VALLEY

* D 10

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,476

WATER RIGHT NUMBER 400-W-077260-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077259-00, W077260-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 07/09/84.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,477

WATER RIGHT NUMBER: 400-11-077261-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF SPRING COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS
01 NENESW 09 30N 40E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM NENESW 09 30N 40E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSWNE 09 30N 40E VALLEY
002 SESENEW 09 30N 40E VALLEY
003 NENESW 09 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,478

WATER RIGHT NUMBER 400-W-077261-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077261-00, W077262-00.

: THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS :
: EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN :
: UNRESOLVED IF NO OBJECTIONS ARE FILED. :
: :
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: THERE IS A QUESTION AS TO THE VALIDITY OF THIS :
: CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE :
: AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE :
: MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE :
: THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION :
: RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND :
: WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." :
: :
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,479

WATER RIGHT NUMBER: 400g-W-077262-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF SPRING COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS

01 NENESW 09 30N 40E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DNSTREAM NENESW 09 30N 40E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSWNE 09 30N 40E VALLEY
002 SESENEW 09 30N 40E VALLEY
003 NENESW 09 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* H 10

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,480

WATER RIGHT NUMBER 400-W-077262-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077261-00, W077262-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,481

WATER RIGHT NUMBER: 400-W-077263-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: CHERRY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SWSWSW	14	30N	40E	VALLEY	DAM	

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DOWNSTREAM			SWSWSW	14	30N 40E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
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001				SWSWSW	14	30N	40E	VALLEY	
002				W2SWSW	14	30N	40E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3.482

REMARKS CONTINUED:

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*****
1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DARC DURING ITS
2 EXAMINATION OF THIS WATER RIGHT CLAIM.  THESE ISSUES MAY REMAIN
3 UNRESOLVED IF NO OBJECTIONS ARE FILED.
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10 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
11 CLAIMED RIGHT.  IN THE MATTER OF THE DEARBORN DRAINAGE
12 AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE
13 MONTANA SUPREME COURT STATED:  "IT IS CLEAR THEREFORE
14 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
15 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
16 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,483

WATER RIGHT NUMBER: 4002-W-077264-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: CHERRY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC 1/4 QTR BGE COUNTY ----- MEANS -----

01 SWSWSW 14 30N 40E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC 1/4 QTR BGE COUNTY -----

01 ONSTREAM SWSWSW 14 30N 40E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC 1/4 QTR BGE COUNTY -----

001 SWNWSW 14 30N 40E VALLEY
002 W2SWSW 14 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 2,484

WATER RIGHT #MONT-287-400-W-077264-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077263-00, W077264-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-524-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BRAIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,485

WATERRIGHT#NUMBER#400#-W-077265-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." (N&A) 255 OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 26800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF FOSS COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NESEW 19 30N 40E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESEW 19 30N 40E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NESEW 19 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE:
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,486

WATER RIGHT NUMBER: 400g-W-077265-00g (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W07265-00, W077266-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4354, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,487

WATER RIGHT NUMBER 400-M-077266-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF FOSS COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NESESW 19 30N 40E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NESESW 19 30N 40E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESESW 19 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,488

WATER RIGHT NUMBER 14001-W-077266-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077266-00, W077266-00

1 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1
1 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-524-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,489

WATER RIGHT NUMBER 4001-W-077267-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: SPRING, TRIB OF FOSS COULEE
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 1.97 GPM

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTUVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC IWP RGE COUNTY MEANS
01 NESESW 19 30N 40E VALLEY DEVELOPED SPRING

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC IWP RGE COUNTY
001 NESESW 19 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,490

WATER RIGHT NUMBER 400-W-077267-00 (CONTINUED)

REMARKS CONTINUED:

W077267-00, W077268-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X
X X X
X THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS X
X REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO X
X SUPPORT THIS CLAIM. X
X X X

P. BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,491

WATER:RIGHT:NUMBER:400:W-077268-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: SPRING, TRIB OF FOSS COULEE
SOURCE TYPE: GROUNDWATER
- * PRIORITY DATE: DECEMBER 31, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 1.97 GPM

VOLUME: 2.61 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS	
01			NE	SE	W	19	30N	40E	VALLEY	DEVELOPED SPRING

- * PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	
001				NE	SE	W	19	30N	40E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077267-00, W077268-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,492

WATER RIGHT NUMBER 400-W-07268-00 (CONTINUED)

REMARKS CONTINUE:

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
2 EXAMINATION OF THE WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
3 UNRESOLVED IF NO OBJECTIONS ARE FILED.
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7 THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS
8 REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO
9 SUPPORT THIS CLAIM.
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12 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
13 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
14 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
15 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
16 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
17 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
18 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,493

WATER RIGHT NUMBER: 4002-W-077269-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DMRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

- * SOURCE: SPRING, TRIB OF HAWK COULEE
SOURCE TYPE: GROUNDWATER
- * PRIORITY DATE: DECEMBER 31, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 1.97 GPM

- * VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NW5WSW 22 30N 40E VALLEY DEVELOPED SPRING

- * PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NW5WSW 22 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,494

WATER RIGHT NUMBER 400-W-077269-00 (CONTINUED)

REMARKS CONTINUED:

W077269-00, W077270-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO *
* SUPPORT THIS CLAIM. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,495

WATER RIGHT NUMBER: 4002-W-077270-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: SPRING, TRIB OF HAWK COULEE
SOURCE TYPE: GROUNDWATER
- * PRIORITY DATE: DECEMBER 31, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 1.97 GPM

VOLUME: 2.58 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWSW 22 30N 40E VALLEY DEVELOPED SPRING

- * PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWSW 22 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077269-00, W077270-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,496

WATER RIGHT NUMBER 4008-W-077270-008 (CONTINUED)

REMARKS CONTINUED:

: THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS :
: EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN :
: UNRESOLVED IF NO OBJECTIONS ARE FILED. :
: :
: :
: THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS :
: REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO :
: SUPPORT THIS CLAIM. :
: :
: THERE IS A QUESTION AS TO THE VALIDITY OF THIS :
: CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE :
: AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE :
: MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE :
: THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION :
: RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND :
: WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." :
: :
: *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,497

WATER RIGHT NUMBER: 400-W-077271-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 26800
BILLINGS MT 59107

PURPOSE (USE): STOCK

- * SOURCE: SPRING, TRIB OF HAWK COULEE
SOURCE TYPE: GROUNDWATER
- * PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 1.97 GPM

- * VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWE 28 30N 40E VALLEY DEVELOPED SPRING

- * PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWE 28 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECRESES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

* K 11

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,498

WATER RIGHT NUMBER: 002-W-077271-002 (CONTINUED)

REMARKS CONTINUED:

W077271-00, W077272-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO *
* SUPPORT THIS CLAIM. *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN #00
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,499

WATER RIGHT NUMBER: 002-W-077272-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: SPRING, TRIBE OF HAWK COULEE
SOURCE TYPE: GROUNDWATER
- * PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 1.97 GPM

VOLUME: 2.58 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSWE 28 30N 40E VALLEY DEVELOPED SPRING

- * PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWE 28 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077271-00, W077272-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,500

WATER RIGHT NUMBER: W-077272-001 (CONTINUED)

REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DWR DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* * * * *
* THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS *
* REQUIRED BY THE 1962 GROUNDWATER CODE WAS SUBMITTED TO *
* SUPPORT THIS CLAIM. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DWR EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-424-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,501

WATER RIGHT NUMBER: 4002-W-077273-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

- * SOURCE: SPRING, TRIB OF SPRING COULEE
SOURCE TYPE: GROUNDWATER
- * PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 1.97 GPM

- * VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 S4NWSE 29 30N 40E VALLEY DEVELOPED SPRING

- * PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 S4NWSE 29 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,502

WATER RIGHT NUMBER 400-W-077273-00 (CONTINUED)

REMARKS CONTINUED:

W077273-00, W077275-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* *
* THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO *
* SUPPORT THIS CLAIM. *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,503

WATER RIGHT NUMBER 4002-W-077274-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): STOCK

- * SOURCE: SPRING, TRIB OF SPRING COULEE
SOURCE TYPE: GROUNDWATER
- * PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 2.96 GPM

- * VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01					SWSWSE	29	30N 40E VALLEY	DEVELOPED SPRING

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001						SWSWSE	29	30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,504

WATER RIGHT NUMBER 400-W-077274-00 (CONTINUED)

REMARKS CONTINUED:

W077274-00, W077276-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO *
* SUPPORT THIS CLAIM. *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,505

WATER RIGHT NUMBER 400-W-077275-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF "ELIGIBILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: SPRING, TRIB OF SPRING COULEE
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 1.97 GPM

VOLUME: 2.58 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SWNWSE	29	30N	40E	VALLEY	DEVELOPED SPRING

- * PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SWNWSE	29	30N	40E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077275-00, W077275-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER₂RIGHT₁NUMBER₂400₂-V-077275-00₂(CONTINUED)

REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DHRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED 'D *
* SUPPORT THIS CLAIM. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DHRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-077276-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND AGT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: SPRING, TRIB OF SPRING COULEE
SOURCE TYPE: GROUNDWATER
- * PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 2.96 GPM

VOLUME: 4.18 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SWSSE	29	30N	40E	VALLEY	DEVELOPED SPRING

- * PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			SWSSE	29	30N	40E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077274-00, W077276-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,508

WATER;RIGHT;NUMBER;400;W-077276-00;(CONTINUED)

REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO *
* SUPPORT THIS CLAIM. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,509

WATER RIGHT NUMBER 400-W-077277-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 6.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LDI BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 MENESE 35 30M 40E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM MENESE 35 30M 40E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LDI BLK QTR SEC SEC TWP RGE COUNTY -----
001 MENESE 35 30M 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,510

WATER RIGHT NUMBER 4001-W-077277-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077277-00. W077278-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,511

WATER;RIGHT;NUMBER;400;W-077278-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT, BLK, QTR, SEC, SEC, TWP, RGE, COUNTY, MEANS -----
01 MENESE 35 30N 40E VALLEY DAM

RESERVOIR:

----- QTR, SEC, SEC, TWP, RGE, COUNTY -----
01 DNSTREAM MENESE 35 30N 40E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT, BLK, QTR, SEC, SEC, TWP, RGE, COUNTY -----
001 MENESE 35 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,512

WATER RIGHT NUMBER W-077278-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077277-00, W077278-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,513

WATER RIGHT NUMBER: 400; W-077279-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 25, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 13.20 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 NESENM 20 30N 41E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESENM 20 30N 41E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
00: NESENM 20 30N 41E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,514

WATER RIGHT NUMBER: 400 - W-077279-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT... RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077279-00, W077280-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE WRITER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1928) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE RETRIEVED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,515

WATER RIGHT NUMBER: 4002-W-077280-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGED FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 25, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .50 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS	
C1			NE	SE	NW	20	30N	41E	VALLEY	DAM

RESERVOIR:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY		
O1	ONSTREAM			NE	SE	NW	20	30N	41E	VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
O01				NE	SE	NW	20	30N	41E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,516

WATER RIGHT NUMBER 400-W-077280-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077279-00, W077280-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,517

WATER RIGHT NUMBER: 400-W-077281-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 26, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 11.18 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NWSE	29	30N	41E	VALLEY	DAM	

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM	NWSE	29	30N	41E	VALLEY	

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NWSE	29	30N	41E	VALLEY		

REMARKS:

AUTHORIZATION TO CHANGE POINT OF DIVERSION, PLACE OF
USE AND PLACE OF STORAGE COMPLETED 04/25/85. FILE
REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,518

WATER RIGHT NUMBER 400-W-077281-00 (CONTINUED)

REMARKS CONTINUED:

APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077281-00, W077282-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,519

WATER RIGHT NUMBER 4002-W-077282-00

IMPORTANT NOTICE

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OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 26, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NW	SE	29	30N	41E	VALLEY DAM

RESERVOIR:

	QTR SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	NW	SE	29	30N 41E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY
001			NW	SE	29	30N 41E	VALLEY

REMARKS:

AUTHORIZATION TO CHANGE POINT OF DIVERSION, PLACE OF
USE AND PLACE OF STORAGE COMPLETED 04/25/85. FILE
REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,520

WATER RIGHT NUMBER 400-W-077282-00 (CONTINUED)

REMARKS CONTINUED:

APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077281-00, to 077282-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,521

WATER RIGHT NUMBER 4002-W-077283-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF UHLM COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: NOVEMBER 30, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NESEW 30 30N 41E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 DNSTREAM NESEW 30 30N 41E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESEW 30 30N 41E VALLEY
002 NESEW 30 30N 41E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,522

WATER RIGHT NUMBER 400-W-077283-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
M077283-00, M077284-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,523

WATER RIGHT NUMBER: 400-W-077284-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF UHLAN COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: NOVEMBER 30, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 1.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	R1B	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NE	SE	SW	30	30N	41E VALLEY	DAM

RESERVOIR:

		R1B	SEC	SEC	TWP	RGE	COUNTY
01	DOWNSTREAM	NE	SE	SW	30	30N	41E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	R1B	SEC	SEC	TWP	RGE	COUNTY
001				SE	NE	SW	30	30N	41E VALLEY
002				NE	SE	SW	30	30N	41E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,524

WATER RIGHT NUMBER: 400-W-077284-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077283-00, W077284-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,525

WATER RIGHT NUMBER: 400-W-077285-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF UHLM COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 15.88 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TP	RGE	COUNTY	MEANS
01			SEN	MMW	30	30N	41E	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TP	RGE	COUNTY	MEANS
01			SEN	MMW	30	30N	41E	VALLEY
CAPACITY: 12.1 AC-FT DAM HEIGHT: 20 FT SURFACE AREA: 1.90 ACRES								

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TP RGE COUNTY

001			SEN	MMW	30	30N	41E	VALLEY
002			SEN	MMW	30	30N	41E	VALLEY

REMARKS:

* I 13

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,526

WATER RIGHT NUMBER: 400-W-077285-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME RESERVOIR. POS1785-00, W077285-00, W077286-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077285-00, W077286-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,527

WATER RIGHT NUMBER: 400g-W-077286-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF UHLAN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS

01 SEMNW 30 30N 41E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DOWNSTREAM SEMNW 30 30N 41E VALLEY
CAPACITY: 12.1 ACFT DAM HEIGHT: 20 FT SURFACE AREA: 1.90 ACRES

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWNEW 30 30N 41E VALLEY
002 SEMNW 30 30N 41E VALLEY

REMARKS:

* K 13

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,528

WATER RIGHT NUMBER 400-V-077286-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME RESERVOIR. P051785-00, W077285-00, W077286-00.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES. W077285-00, W077286-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,529

WATER RIGHT NUMBER: 400-M-077287-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGED FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF ULMAN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 30, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

USE RATE: 3.50 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS

01 SWSENE 31 30N 41E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 DOWNSTREAM SWSENE 31 30N 41E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWSENE 31 30N 41E VALLEY
002 SWSENE 31 30N 41E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,530

WATER\$RIGHT\$NUMBER\$400\$-W-077287-00\$(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERWATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077287-00, W077288-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 873, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,531

WATER RIGHT NUMBER: 400-W-077288-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF UHLM COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 30, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .50 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENE 31 30N 41E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSENE 31 30N 41E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENE 31 30N 41E VALLEY
002 SWSENE 31 30N 41E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 406
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,532

WATER RIGHT NUMBER 400-W-077288-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077287-00, W077288-00.

1 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. x
2 DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVES AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,533

WATER RIGHT NUMBER 400-W-077289-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF UHLAN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 01, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 19.50 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWNEW 32 30N 41E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWNEW 32 30N 41E VALLEY
CAPACITY: 12.4 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 2.60 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 W2NEW 32 30N 41E VALLEY

REMARKS:

* B 14

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,534

WATER RIGHT NUMBER 400 - W-077289-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077289-00, W077290-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,535

WATER RIGHT NUMBER: 400-W-077290-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF UHLAN COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 01, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .50 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QIB SEC SEC TWP RGE COUNTY MEANS
01 SWENW 32 30N 41E VALLEY DAM

RESERVOIR:

QIB SEC SEC TWP RGE COUNTY
01 DNSTREAM SWENW 32 30N 41E VALLEY
CAPACITY: 12.9 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: 2.60 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

* PLACE OF USE FOR STOCK:

ACRES LOI BLK QIB SEC SEC TWP RGE COUNTY
001 W2NENW 32 30N 41E VALLEY

REMARKS:

* D 14

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,536

WATER RIGHT NUMBER 400g-W-077290-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077290-00, W077290-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,537

WATER RIGHT NUMBER: 400-W-077291-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ALKALI CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1940
TYPE OF HISTORICAL RIGHT: USE

ELDW. DATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC. TWP. RGE. COUNTY ----- MEANS -----
01 SWSEW 02 31N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC. TWP. RGE. COUNTY -----
01 ONSTREAM SWSEW 02 31N 37E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC. TWP. RGE. COUNTY -----
001 SWSEW 02 31N 37E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,538

WATER;RIGHT;NUMBER;400;-W-077291-00;(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077291-00, W077292-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,539

WATER RIGHT NUMBER 4002-W-077292-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ALKALI CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1940
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 SWSEW 02 31N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWSEW 02 31N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSEW 02 31N 37E VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,540

WATER RIGHT NUMBER 400g-W-077292-00g (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077291-00, W077292-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,541

WATER RIGHT NUMBER: 400-0-077293-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ELLSWORTH COULEE

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				NWSW	14	31N	37E	VALLEY	DAM

RESERVOIR:

PLACE OF USE FOR WILDLIFE:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED *
* AS THE CLAIMANT WITHDREW THE CLAIM. *

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT
ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03-31/95
PAGE 3,542

WATER RIGHT NUMBER: 4001-0-077294-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ELLSWORTH COULEE

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSM 14 31N 37E VALLEY DAM

RESERVOIR:

PLACE OF USE FOR STOCK:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

X THE DMRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED X
X AS THE CLAIMANT WITHDREW THE CLAIM. X

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3.543

WATER RIGHT NUMBER 4001-W-077295-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 05-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF HALL COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 7.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC 1/4 RGE COUNTY MEANS -----
01 SWNESW 15 31N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC 1/4 RGE COUNTY -----
01 ONSTREAM SWNESW 15 31N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC 1/4 RGE COUNTY -----
001 WNESW 15 31N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,544

WATER RIGHT NUMBER 400-W-077295-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077295-00, W077296-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT. STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY. IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

C3/31/95
PAGE 3,545

WATER RIGHT NUMBER: 4001-W-077296-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY. * UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF HALL COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .80 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LCT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 SWNESW 15 31N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNESW 15 31N 37E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LCT BLK QTR SEC SEC TWP RGE COUNTY -----
001 WNESW 15 31N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,546

WATER;RIGHT;NUMBER;400;V-077296-00;(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077295-00, W077296-00.

* THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BPSIN 420
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,547

WATER:RIGHT:NUMBER:400:W-077297-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BLACK COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 1.87 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				NW	NENE	24	31N	37E	VALLEY DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01 DNSTREAM				NW	NENE	24	31N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001							NW	NENE	24 31N 37E VALLEY
002							SW	SESE	24 31N 37E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,548

WATER RIGHT NUMBER 400-0-077297-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077297-00, W077298-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1998) (THE BEAM LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,549

WATER RIGHT NUMBER: 400-W-077298-00

IMPORTANT NOTICE

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BLACK COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .80 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01						24	31N	37E VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM					24	31N 37E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001							24	31N	37E VALLEY
002							SWSESE	24	31N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,550

WATER:RIGHT:NUMBER:400:W-077298-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077297-00, W077298-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER\$RIGHT\$HUNTERS\$400\$-W-077299-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: ALKALI CREEK
SOURCE TYPE: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES GROUNDWATER SEEPAGE
INTO THE BOTTOM OF EACH PIT.

* PRIORITY DATE: DECEMBER 31, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01						SW	31N	37E VALLEY	PIT
02						SW	31N	37E VALLEY	PIT
03						SE	31N	37E VALLEY	PIT
04						SE	31N	37E VALLEY	PIT
05						SE	31N	37E VALLEY	PIT

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM				SW	31N	37E VALLEY
RESERVOIR/LAKE NAME:						PLIGHT RESERVOIR
02 ONSTREAM				SW	31N	37E VALLEY
RESERVOIR/LAKE NAME:						PLIGHT RESERVOIR
03 ONSTREAM				SE	31N	37E VALLEY

* E 15

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,552

WATER RIGHT NUMBER 400-W-077299-00 (CONTINUED)

RESERVOIR CONTINUED:

RESERVOIR/LAKE NAME: PLIGHT RESERVOIR
04 DNSTREAM SENEMW 26 31M 37E VALLEY
RESERVOIR/LAKE NAME: PLIGHT RESERVOIR
05 DNSTREAM NENEMW 26 31M 37E VALLEY
RESERVOIR/LAKE NAME: PLIGHT RESERVOIR

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	TWP	RGE	COUNTY
001					26	31M	37E	VALLEY
002					26	31M	37E	VALLEY
003					26	31M	37E	VALLEY
004					26	31M	37E	VALLEY
005					26	31M	37E	VALLEY

REMARKS:

THE POINT OF DIVERSION AND PLACE OF USE CONSISTS OF FIVE PIT RESERVOIRS.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077299-00, W077300-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 ADMT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,553

WATER;RIGHT;NUMBER;400;W-077299-00;(CONTINUED)

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,554

WATER RIGHT NUMBER: 400-W-077300-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: ALKALI CREEK
SOURCE TYPE: SURFACE WATER

THIS WATER RIGHT ALSO INCLUDES GROUNDWATER SEEPAGE
INTO THE BOTTOM OF EACH PIT.

- * PRIORITY DATE: DECEMBER 31, 1962
TYPE OF HISTORICAL RIGHT: USE
- ELOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.
- VOLUME: .62 AF
- PERIOD OF USE: JANUARY 01 TO DECEMBER 31
- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	DIR	SEC	SEC	IMP	RGE	COUNTY	MEANS
01		SWNW	26	31N	37E	VALLEY	PIT
02		SWNW	26	31N	37E	VALLEY	PIT
03		SENW	26	31N	37E	VALLEY	PIT
04		SENW	26	31N	37E	VALLEY	PIT
05		SENW	26	31N	37E	VALLEY	PIT

RESERVOIR:

	DIR	SEC	SEC	IMP	RGE	COUNTY
01 DNSTREAM	SWNW	26	31N	37E	VALLEY	
RESERVOIR/LAKE NAME: PLIGHT RESERVOIR						
02 DNSTREAM	SWNW	26	31N	37E	VALLEY	
RESERVOIR/LAKE NAME: PLIGHT RESERVOIR						
03 DNSTREAM	SENW	26	31N	37E	VALLEY	

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
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WATER RIGHT NUMBER 400-W-077300-00 (CONTINUED)

RESERVOIR CONTINUED:

RESERVOIR/LAKE NAME: PLIGHT RESERVOIR

04 ONSTREAM SEMENW 26 31N 37E VALLEY

RESERVOIR/LAKE NAME: PLIGHT RESERVOIR

05 ONSTREAM NEMENW 26 31N 37E VALLEY

RESERVOIR/LAKE NAME: PLIGHT RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SEMENW	26	31N	37E	VALLEY
002				SEMENW	26	31N	37E	VALLEY
003				SEMENW	26	31N	37E	VALLEY
004				SEMENW	26	31N	37E	VALLEY
005				NEMENW	26	31N	37E	VALLEY

REDBBS:

THE POINT OF DIVERSION AND PLACE OF USE CONSISTS OF
FIVE PIT RESERVOIRS.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077299-00, W077300-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,556

WATER RIGHT NUMBER: 400-W-077301-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 N2SWSE 04 31N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM N2SWSE 04 31N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 N2SWSE 04 31N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,557

WATER RIGHT NUMBER 400-W-077301-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077301-00, W077302-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,558

WATER RIGHT NUMBER 400-M-077302-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 N25WSE 04 31N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM N25WSE 04 31N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 N25WSE 04 31N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,559

WATER RIGHT NUMBER 400-W-077302-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077301-00, W077302-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,560

WATER\$RIGHT\$NUMBER\$400\$-W-077303-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF BEAR CREEK, BRUSH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 16.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 (GOVT) 7 NWSWSW 06 31N 38E VALLEY DAM

RESERVOIR:
----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWSWSW 06 31N 38E VALLEY

RESERVOIR/LAKE NAME: UR 4 RESERVOIR
CAPACITY: 17.0 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: 5.30 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 E2NESE 01 31N 37E VALLEY
002 MESESE 01 31N 37E VALLEY
003 (GOVT) 6 SWSWSW 06 31N 38E VALLEY
004 (GOVT) 7 NWSWSW 06 31N 38E VALLEY

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03-11-95
PAGE 2,561

WATER RIGHT NUMBER 400-W-077303-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077303-00, W077304-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
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* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,562

WATER RIGHT NUMBER: 4001-W-077304-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENT OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF BEAR CREEK, BRUSH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 24, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01	(GOUT)	7		NWSWSW	06	31N	38E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DNSTREAM			NWSWSW	06	31N 38E VALLEY

RESERVOIR/LAKE NAME: UR 4 RESERVOIR
CAPACITY: 17.0 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: 5.30 ACRES

SEE THE RESERVOIR WORKSHEET IN THE CLAIM FILE FOR
ADDITIONAL RESERVOIR DATA.

* PLACE OF USE EQU STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				E2NESE	01	31N	37E	VALLEY	
002				NESESE	01	31N	37E	VALLEY	
003	(GOUT)	6		SWSWSW	06	31N	38E	VALLEY	
004	(GOUT)	7		NWSWSW	06	31N	38E	VALLEY	

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
JASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,563

WATER RIGHT NUMBER 400 - W-077304-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077303-00, W077304-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,564

WATER RIGHT NUMBER: 400-1-W-077305-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CROOKED CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 09, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01								NEWSE 13 31N 39E ULLLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM						NEWSE 13 31N 39E ULLLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001								NEWSE 13 31N 39E ULLLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,565

WATER RIGHT NUMBER 400-W-077305-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (FOR PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077305-00, W077306-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,566

WATER RIGHT NUMBER 400-0-077306-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CROOKED CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 09, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.71 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- 101 BLK Q1R SEC SEC 13P RGE COUNTY ----- MEANS -----
01 NEWSE 13 31N 38E VALLEY DAM
RESERVOIR:

----- Q1R SEC SEC 13P RGE COUNTY -----
01 ONSTREAM NEWSE 13 31N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- 101 BLK Q1R SEC SEC 13P RGE COUNTY -----
001 NEWSE 13 31N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,567

WATER RIGHT NUMBER 400-M-077306-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
M077305-00, M077306-00.

2 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS 2
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
2 UNRESOLVED IF NO OBJECTIONS ARE FILED. 2
2 2
2 2
2 2
2 THERE IS A QUESTION AS TO THE VALIDITY OF THIS 2
2 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE 2
2 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE 2
2 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE 2
2 THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION 2
2 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND 2
2 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." 2
2 2
2 *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,568

WATER RIGHT NUMBER: 4002-W-077307-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." - UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CROOKED CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			MESENE	14	31N	38E	VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	DOWNSTREAM			MESENE	14	31N	38E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					MESENE	14	31N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,569

WATER RIGHT NUMBER 400-W-077307-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077307-00, W077308-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,570

WATER RIGHT NUMBER: 400-M-077308-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CROOKED CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT, BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NESENE 14 31N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESENE 14 31N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT, BLK QTR SEC SEC TWP RGE COUNTY -----
001 NESENE 14 31N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,571

WATER RIGHT NUMBER 400-W-077308-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077307-00, W077308-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS IMPLICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COUNT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,572

WATER RIGHT NUMBER: 400-W-077309-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF BEAR CREEK, BRUSH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 14, 1941
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 7.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 SWSEW 17 31N 30E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWSEW 17 31N 30E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSEW 17 31N 30E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,573

WATER RIGHT NUMBER 400-V-077309-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
M077309-00, M077310-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,574

WATER RIGHT NUMBER: 400g-V-077310-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF BEAR CREEK, BRUSH FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 14, 1941
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSSEW 17 31N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSSEW 17 31N 38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 SWSSEW 17 31N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,575

WATER RIGHT NUMBER 400-W-077310-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077309-00, W077310-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3.576

WATER RIGHT NUMBER: 400g-W-077311-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF UNGER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QIB SEC SEC IWP RGE COUNTY MEANS
01 NWSEW 20 31N 30E VALLEY DAM

RESERVOIR:

QIB SEC SEC IWP RGE COUNTY
01 ONSTREAM NWSEW 20 31N 30E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QIB SEC SEC IWP RGE COUNTY
001 NWSEW 20 31N 30E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,577

WATER RIGHT NUMBER 400-W-077311-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077311-00, W077312-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,378

WATER RIGHT NUMBER 400-V-077312-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF UNGER COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSEW 20 31N 38E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSEW 20 31N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSEW 20 31N 38E VALLEY
REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3.579

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077311-00. W077312-00.

 * THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
 * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
 * UNRESOLVED IF NO OBJECTIONS ARE FILED. *

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAM LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE. EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE ONRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK, INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

05/31/95
PAGE 3,580

WATER RIGHT NUMBER: 400-W-077313-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF UNGER CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1944
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NJ FLOW RATE HAS BEEN DECREASED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 2.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SESEW	29 31N	38E	VALLEY		DAM

RESERVOIR:

		QTR SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	SESEW	29 31N	38E	VALLEY	

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK	QTR SEC	SEC	TWP	RGE	COUNTY
001			SESEW	29 31N	38E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,581

WATER RIGHT NUMBER: 400-W-077313-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREE THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077313-00, W077314-00.

: THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS :
: EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN :
: UNRESOLVED IF NO OBJECTIONS ARE FILED. :
: :
: :
: :
: :
: THERE IS A QUESTION AS TO THE VALIDITY OF THIS :
: CLAIMED RIGHT. IN THE MATTER OF THE DEARSDOWN DRAINAGE :
: AREA, 234 MONT. 343 (1986) (LIKE BEAN LAKE CASE) THE :
: MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE :
: THAT UNDER MONTANA LAW BEFORE 1972, NO APPROPRIATION :
: RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND :
: WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." :
: :
: :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,582

WATER RIGHT NUMBER 400-W-077314-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF UNGER COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1544
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESEMW 29 31N 30E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESEMW 29 31N 30E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESEMW 29 31N 30E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3,583

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER:RIGHT;NUMBER:400;V-077314-00;(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077313-00, W077314-00.

* THE DMC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE! DETAILS REGARDING THE DMC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,584

WATER RIGHT NUMBER 4005-V-077315-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER
DEPT OF STATE LANDS
PO BOX 201601
HELENA MT 59620-1601

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 30, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 40.11 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK Q18 SEC SEC 1 WP RGE COUNTY MEANS
01 E2SENE 13 31N 39E VALLEY DAM

RESERVOIR:

Q18 SEC SEC 1 WP RGE COUNTY
01 ONSTREAM E2SENE 13 31N 39E VALLEY
CAPACITY: 41.0 AC-FT DAM HEIGHT: 12 FT SURFACE AREA: ACRES

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK Q18 SEC SEC 1 WP RGE COUNTY

001 E2SENE 13 31N 39E VALLEY
002 W2SWNW 18 31N 40E VALLEY

REMARKS:

03/31/95
PAGE 3, SBS

REMARKS CONTINUED:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/89.

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1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
3 UNRESOLVED IF NO OBJECTIONS ARE FILED.
4
5
6
7
8 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
9 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
10 AREA, 234 MONT. 346 (1980) (THE BEAN LAKE CASE) THE
11 MONTANA SUPREMACY COURT STATED "IT IS CLEAR THEREFORE
12 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
13 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
14 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
15
16
17 *****

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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,586

WATER RIGHT NUMBER 4003-W-077316-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER
DEPT OF STATE LANDS
PO BOX 201601
HELENA MT 59620-1601

PURPOSE (USE): STOCK

* SOURCE: CHERRY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 30, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT 9LK QTR SEC SEC 1WP RGE COUNTY MEANS -----
01 EISENE 13 31N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC 1WP RGE COUNTY -----
01 ONSTREAM EISENE 13 31N 39E VALLEY
CAPACITY: ----- 91.0 ACFT 07M HEIGHT: 12.1 SURFACE AREA: ----- 808ES

* PLACE OF USE FOR STOCK:

----- 808ES ----- LOT 9LK QTR SEC SEC 1WP RGE COUNTY -----
001 EISENE 13 31N 39E VALLEY
002 W25WNW 18 31N 40E VALLEY

REMARKS:

* J 17

PRELIMINARY DECREE
MILA RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 7.587

WATER RIGHT NUMBER 400-W-077316-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077315-00, W077316-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/88.

1 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. 1
1 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,588

WATER RIGHT NUMBER: 400-W-077317-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE EVENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: SPRING CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 18, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NWSWNE 20 31N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 DNSTREAM NWSWNE 20 31N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NWSWNE 20 31N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,589

WATER RIGHT NUMBER 400 W-077317-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077317-00, W077318-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,590

WATER RIGHT NUMBER 4003-W-077318-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: SPRING CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 18, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC INP RGE COUNTY MEANS -----
01 NWSWNE 20 31N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC INP RGE COUNTY -----
01 ONSTREAM NWSWNE 20 31N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC INP RGE COUNTY -----
001 NWSWNE 20 31N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,591

WATER RIGHT NUMBER 400-V-077318-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077317-00, W077318-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1908) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,592

WATER RIGHT NUMBER 400-1-V-077319-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 8.10 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NENENW 28 31N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NENENW 28 31N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SESW 21 31N 39E VALLEY
002 NENENW 28 31N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PAGE 3.593

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077319-00, W077320-00.

 2 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE CNRC DURING ITS 2
 2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
 2 UNRESOLVED IF NO OBJECTIONS ARE FILED. 2

2 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
3 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
4 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
5 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
6 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
7 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
8 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADDJUDICATING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,594

WATER RIGHT NUMBER 4001-V-077320-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON PETITION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF CHERRY CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----

01 NENENW 20 31N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM NENENW 20 31N 39E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SESW 21 31N 39E VALLEY
002 NENENW 26 31N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,595

WATER RIGHT NUMBER 400-W-077320-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077319-00, W077320-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,596

WATER RIGHT NUMBER 400-4-077321-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WIRE GRASS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 19, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 6.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LDI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNW 30 31N 39E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNW 30 31N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LDI BLK QTR SEC SEC TWP RGE COUNTY
001 SWNW 30 31N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,597

WATER RIGHT NUMBER 400-W-077321-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077321-00, W077322-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,598

WATER RIGHT NUMBER 400-M-077322-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WIRE GRASS COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 19, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	SWENW 30 31N 39E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	SWENW 30 31N 39E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		SWENW 30 31N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,599

WATER RIGHT NUMBER 400-W-077322-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077321-00, W077322-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,600

WATER RIGHT NUMBER 400-M-077323-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGED FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: SPRING, TRIB OF WIRE GRASS COULEE
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 4.98 GPM

VOLUME: 7.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NWSW	30	31N	39E	VALLEY	DEVELOPED SPRING

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NWSW	30	31N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077323-00, W077324-00.

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PAGE 3,601

REMARKS CONTINUED:

1 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
2 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
3 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
4 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
5 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
6 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
7 WILDLIFE. EXCEPT THROUGH A MURPHY RIGHT STATUTE."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59717-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400

03/31/95
PAGE 3,602

ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-077324-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN BY MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: SPRING, TRIB OF WIRE GRASS COULEE
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 4.98 GPM

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK Q18 SEC SEC 1 WP RGE COUNTY ----- MEANS
01 NWSWSW 30 31N 39E VALLEY DEVELOPED SPRING

* PLACE OF USE FOR STOCK:

----- BCRES ----- LOT BLK Q18 SEC SEC 1 WP RGE COUNTY -----
001 NWSWSW 30 31N 39E VALLEY

REDBRKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,603

WATER;RIGHT;NUMBER;400;W-077324-00;(CONTINUED)

REMARKS CONTINUED:

W077323-00, W077324-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,604

WATERRIGHTNUMBER: 400-W-077325-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK Q18 SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SWNEW 15 31N 40E VALLEY DAM

RESERVOIR:

----- Q18 SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNEW 15 31N 40E VALLEY
CAPACITY: ----- 9.6 AC-EI DAM HEIGHT: 13.61 SURFACE AREA: ----- 1.16 AC-BES
THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

* PLACE OF USE FOR WILDLIFE:

----- AC-BES ----- LOT BLK Q18 SEC SEC TWP RGE COUNTY -----
001 W2NEW 15 31N 40E VALLEY
002 NENW 15 31N 40E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

C3/31/95
PAGE 3,605

WATERRIGHT NUMBER 4002-W-077325-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077325-00, W077326-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE *
* FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING *
* PLACES OF USE. W077325-00, W077326-00, W202152-00. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,606

WATER RIGHT NUMBER 400-W-077326-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIB SEC SEC TWP RGE COUNTY MEANS -----
01 SWNW 15 31N 40E VALLEY DAM

RESERVOIR:

----- QIB SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM SWNW 15 31N 40E VALLEY
CAPACITY: 4.6 AC-FT DAM HEIGHT: 13 FT SURFACE AREA: 1.16 ACRES

THE CAPACITY, DAM HEIGHT, AND SURFACE AREA HAVE BEEN
ESTIMATED BY THE DNRC.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QIB SEC SEC TWP RGE COUNTY -----
001 WNW 15 31N 40E VALLEY
002 NWNW 15 31N 40E VALLEY

REMARKS:

03/31/95
PAGE 3,607

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.

 1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
 2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
 3 UNRESOLVED IF NO OBJECTIONS ARE FILED.
 4
 5
 6
 7
 8
 9 THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE
 10 FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING
 11 PLACES OF USE. W077325-00, W077326-00, W202152-00.
 12
 13
 14 *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RIGHTS, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,608

WATER RIGHT NUMBER 14002-W-077327-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2 21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			N2E	SE	03	32N	37E	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01			N2E	SE	03	32N	37E	VALLEY

RESERVOIR/LAKE NAME: ABEY RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			W2NE	SE	03	32N	37E	VALLEY
002			N2E	SE	03	32N	37E	VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,609

WATER RIGHT NUMBER 400-W-077327-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
077327-00, W077328-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X X

X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,610

WATER RIGHT NUMBER: 400-V-07328-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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ADDRESSES: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1969
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 N2SESE 03 32N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM N2SESE 03 32N 37E VALLEY

RESERVOIR/LAKE NAME: ABEY RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2NESE 03 32N 37E VALLEY
002 N2SESE 03 32N 37E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,611

WATER RIGHT NUMBER 400-11-077328-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077327-00, W077328-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO IN AN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,612

WATER RIGHT NUMBER 400-0-077329-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY		MEANS
01	SESW 08 32N 37E VALLEY	PIT

RESERVOIR:

PLACE OF USE FOR WILDLIFE:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

* THE DMRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED *
* AS THE CLAIMANT WITHDREW THE CLAIM. *

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT
ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,613

WATER RIGHT NUMBER: 400-0-077330-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LINE CREEK

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SESW	08	32N	37E	VALLEY	PIT	

RESERVOIR:

PLACE OF USE FOR STOCK:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

* THE DNRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED *
* AS THE CLAIMANT WITHDREW THE CLAIM. *

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT
ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,614

WATER RIGHT NUMBER 400-W-077331-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 26800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 6.01 GPM

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

01 SWNE 10 32N 37E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWNE 10 32N 37E VALLEY

REDBBS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,615

WATER;RIGHT;NUMBER;400;W-077331-00;(CONTINUED)

REMARKS CONTINUED:

W077331-00, W077332-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THE POINT OF DIVERSION AND PLACE OF USE LEGAL LAND *
* DESCRIPTION COULD NOT BE REFINED TO A 10 ACRE *
* DESCRIPTION FROM INFORMATION IN THE CLAIM FILE. *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,616

WATER RIGHT NUMBER 400-W-077332-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DMRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 6.01 GPM

VOLUME: 8.89 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

01 SWME 10 32N 37E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWME 10 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077331-00, W077332-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,617

WATER RIGHT NUMBER 400g-w-077332-00g (CONTINUED)

REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE POINT OF DIVERSION AND PLACE OF USE LEGAL LAND *
* DESCRIPTION COULD NOT BE REFINED TO A 10 ACRE *
* DESCRIPTION FROM INFORMATION IN THE CLAIM FILE. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *
* VOLUME MAY BE EXCESSIVE, BASED ON THE FLOW RATE AND *
* PERIOD OF USE, THE SYSTEM WOULD HAVE TO RUN 21.9 *
* HOURS PER DAY TO DELIVER THE CLAIMED VOLUME. NO *
* INFORMATION EXISTS IN THE CLAIM FILE TO CONFIRM THIS *
* FIGURE. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITewater CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 3,618

WATER RIGHT NUMBER: 4001-W-077333-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: SEPTEMBER 30, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC 1/4 37E VALLEY ORAM -----
01 MESWSW 11 32N 37E VALLEY ORAM

RESERVOIR:

----- QTR SEC SEC 1/4 37E VALLEY -----
01 ONSTREAM MESWSW 11 32N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC 1/4 37E VALLEY -----
001 MESWSW 11 32N 37E VALLEY
002 MESWSW 11 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,619

WATER RIGHT NUMBER 400-W-077333-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077333-00, W077336-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1909) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1873, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,620

WATER RIGHT NUMBER 400-W-077334-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LDI BLK QIR SEC SEC TWP RGE COUNTY ----- MEANS
01 SENWNE 11 32N 37E VALLEY DAM

RESERVOIR:

----- QIR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SENWNE 11 32N 37E VALLEY
RESERVOIR/LAKE NAME: ADA RESERVOIR

* PLACE OF USE EDB STOCK:

----- ACRES ----- LDI BLK QIR SEC SEC TWP RGE COUNTY -----
001 E2NWNE 11 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* N 19

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-W-077334-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077334-00, W077335-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,622

WATER RIGHT NUMBER: 400-11-077335-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA CODEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: NOVEMBER 10, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: 3.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SE	NW	11	32N	37E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 DOWSTREAM			SE	NW	11	32N 37E VALLEY

RESERVOIR/LAKE NAME: ADA RESERVOIR

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SE	NW	11	32N	37E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PAGE 3,623

REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *

XX

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,624

WATER RIGHT NUMBER 400 W-077336-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: SEPTEMBER 30, 1970
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NESWS 11 32N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESWS 11 32N 37E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENWS 11 32N 37E VALLEY
002 NESWS 11 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* C 20

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,625

WATER RIGHT NUMBER 400-W-077336-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077333-00, W077336-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,626

WATER RIGHT NUMBER 4003-V-077337-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: LIME CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 20, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 W2NWNE 12 32N 37E VALLEY DAM

RESERVOIR:
QTR SEC SEC TWP RGE COUNTY
01 DOWSTREAM W2NWNE 12 32N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2NWNE 12 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,627

WATER RIGHT NUMBER 400-1-W-077337-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREE THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077337-00, W077338-00.

* THE DMRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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1-800-624-3270 (WITHIN MONTANA DML 4) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,628

WATER RIGHT NUMBER 4003-V-077338-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: LIME CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 20, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 5.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC IWP RGE COUNTY MEANS

01 W2NWNE 12 32N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC IWP RGE COUNTY

01 ONSTREAM W2NWNE 12 32N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC IWP RGE COUNTY

001 W2NWNE 12 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3,629

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077337-00, W077338-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRD DURING ITS
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
X UNRESOLVED IF NO OBJECTIONS ARE FILED.
X
X
X
X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
X AREA, 234 MONT. 343 (1980) THE BEAR RIVER COUNCIL ON THE
X MONTANA SUPREME COURT STATED, "IT IS CLEAR THAT UNDER
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
X
X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
EAST 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3.630

WATER RIGHT NUMBER 4001-W-077339-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 08, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNE SW 12 32N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNE SW 12 32N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNE SW 12 32N 37E VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,631

WATER RIGHT NUMBER 400-U-077339-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER, IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077339-00, W077340-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,632

WATER RIGHT NUMBER 400-M-077340-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JANUARY 08, 1962
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 4.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SWNESE 12 32N 37E VALLEY DAM
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SWNESE 12 32N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNESE 12 32N 37E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN #00
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,633

WATER RIGHT NUMBER 400-W-077340-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077339-00, W077340-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,634

WATER RIGHT NUMBER: 400g-W-077341-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SWNW 12 32N 37E VALLEY DAM
RESERVOIR:

----- QIR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWNW 12 32N 37E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QIR SEC SEC TWP RGE COUNTY -----
001 SWNW 12 32N 37E VALLEY
BEDDAYS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 20

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,635

WATER RIGHT NUMBER 400-V-077341-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077341-00, W077344-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,636

WATER RIGHT NUMBER 400-W-077342-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: LIME CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1945
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QIB SEC SEC IWP RGE COUNTY MEANS
01 NESWNW 12 32N 37E VALLEY DAM

RESERVOIR:

QIB SEC SEC IWP RGE COUNTY
01 ONSTREAM NESWNW 12 32N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QIB SEC SEC IWP RGE COUNTY
001 NESWNW 12 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3.637

REMARKS CONTINUED:

 * THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
 * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
 * UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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 * *
 * THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
 * CLAIMED RIGHT. IN THE MATTER IF THE DEARBORN DRAINAGE *
 * AREA, 254 MONT. 343 (1988) (I.E. BEAN LAKE CASE) THE *
 * MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
 * THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
 * RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
 * WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
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 * *****

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO: P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3.638

WATER RIGHT NUMBER 400-W-077343-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: LIME CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1945
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .71 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC TWP RGE COUNTY DEANS

01 NESWN 12 32N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM NESWN 12 32N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESWN 12 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,639

WATER RIGHT NUMBER 400-W-077343-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077342-00, W077343-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,640

WATER RIGHT NUMBER: 400-U-077344-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNW 12 32N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNW 12 32N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNW 12 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,641

WATER RIGHT NUMBER 400g-W-077344-00g (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077344-00, W077344-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,642

WATER RIGHT NUMBER: 400-W-077345-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----

01 SESESE 15 32N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SESESE 15 32N 37E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 SWNESE 15 32N 37E VALLEY
002 EISE 15 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
ASSOCIATED. THEY SHARE THE SAME RESERVOIR. P051971-00,
W077345-00, W077346-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,643

WATER RIGHT NUMBER 400-W-077345-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077345-00, W077346-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,644

WATER RIGHT NUMBER 400 W-077346-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF LIME CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LDI BLK QIB SEC SEC IWP RGE COUNTY MEANS -----
01 SESESE 15 32N 37E VALLEY DAM

RESERVOIR:

----- QIB SEC SEC IWP RGE COUNTY -----
01 ONSTREAM SESESE 15 32N 37E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LDI BLK QIB SEC SEC IWP RGE COUNTY -----
001 SWNESE 15 32N 37E VALLEY
002 SESE 15 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
ASSOCIATED. THEY SHARE THE SAME RESERVOIR. P051971-00,
W077345-00, W077346-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,645

WATER RIGHT NUMBER: 4001-W-077346-001 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077345-00, W077346-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 349 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,646

WATER:RIGHT:NUMBER:400:W-077347-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

- * SOURCE: BLACKTAIL COULEE
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: DECEMBER 31, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 4.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 SWNE NE 27 32N 37E VALLEY DAM

RESERVOIR: ----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SWNE NE 27 32N 37E VALLEY

- * PLACE OF USE FOR WILDLIFE:
----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWNE NE 27 32N 37E VALLEY
002 NESENE 27 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,647

WATER RIGHT NUMBER 400-M-077347-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077347-00, W077348-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,648

WATER RIGHT NUMBER: 400-W-077348-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

- * SOURCE: BLACKTAIL COULEE
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: DECEMBER 31, 1946
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01							SNWENE 27 32N 37E VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01							ONSTREAM SNWENE 27 32N 37E VALLEY

- * PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001								SNWENE 27 32N 37E VALLEY
002								NESENE 27 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,649

WATER RIGHT NUMBER 400-W-077348-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077347-00, W077348-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING POPOUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,650

WATER RIGHT NUMBER 400-W-077349-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: BLACKTAIL COWLEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 17, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QIB SEC SEC IWP RGE COUNTY MEANS
01 SEMENW 27 32N 37E VALLEY DAM

RESERVOIR:

QIB SEC SEC IWP RGE COUNTY
01 ONSTREAM SEMENW 27 32N 37E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOI BLK QIB SEC SEC IWP RGE COUNTY
001 SEMENW 27 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,651

WATER RIGHT NUMBER 400-W-077349-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077349-00, W077350-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4354, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,652

WATER RIGHT NUMBER: 4001-W-077350-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: BLACKTAIL COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 17, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .19 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENENW 27 32N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENENW 27 32N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENENW 27 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,653

WATER RIGHT NUMBER 4003-W-077350-002 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077349-00, W077350-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X

X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,654

WATER RIGHT NUMBER: 400-W-077351-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF BLACKTAIL COULEE
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSCREEN RESERVOIR.

VOLUME: 4.79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NE	SE	NW	27 32N 37E	VALLEY	DAM

RESERVOIR:

LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONS	SE	NW	27 32N 37E	VALLEY	

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		N2	SE	NW	27 32N 37E	VALLEY	

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,655

WATER RIGHT NUMBER: 400-W-077351-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077351-00, W077352-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN, MONTANA 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,656

WATER RIGHT NUMBER 14001-W-077352-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BLACKTAIL COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 31, 1967
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESEWN 27 32N 37E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESEWN 27 32N 37E VALLEY

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESEWN 27 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3.657

WATER RIGHT NUMBER 400-W-077352-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077351-00, W077352-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,658

WATER RIGHT NUMBER: 400-0-077353-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: WELL

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

01

NESW 32 32N 37E VALLEY

PLACE OF USE FOR STOCK:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

1 THE DMRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED *
2 AS THE CLAIMANT WITHDREW THE CLAIM. *

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT
ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,659

WATER RIGHT NUMBER: 4001-0-077354-00

***** THIS WATER RIGHT CLAIM HAS BEEN TERMINATED *****

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: WELL

PRIORITY DATE:

FLOW RATE:

VOLUME:

PERIOD OF USE:

POINT OF DIVERSION:

LOT BLK ATP SEC SEC TWP RGE COUNTY

01

NESW 32 32N 37E VALLEY

PLACE OF USE FOR WILDLIFE:

REMARKS:

THIS CLAIM WAS WITHDRAWN FROM THE ADJUDICATION PROCESS
AT THE REQUEST OF THE CLAIMANT ON 10/19/83.

* THE DMRC EXAMINATION OF THIS CLAIM MAY NOT HAVE BEEN COMPLETED *
* AS THE CLAIMANT WITHDREW THE CLAIM. *

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT
ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."
UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS
DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE
AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
J-800-624-3210 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,560

WATER RIGHT NUMBER: 400-W-077355-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF HALL COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 12, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECIDED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 9.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 SENE 33 32N 37E VALLEY DAM
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DNSTREAM SENE 33 32N 37E VALLEY
RESERVOIR/LAKE NAME: CONFUSION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENE 33 32N 37E VALLEY
002 SUNNIV 34 32N 37E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,661

WATER RIGHT NUMBER: 400-W-077355-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077355-00, W077356-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x x
x x

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
x
x
x
x
x
x
x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,662

WATER RIGHT NUMBER 400-W-077356-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF HALL COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 12, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

RE*IDD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QIB SEC SEC TWP RGE COUNTY MEANS
01 SENENE 33 32N 37E VALLEY DAM

RESERVOIR:

QIB SEC SEC TWP RGE COUNTY
01 ONSTREAM SENENE 33 32N 37E VALLEY
RESERVOIR/LAKE NAME: CONFUSION RESERVOIR

PLACE OF USE FOR STOCK:

ACRES LOT BLK QIB SEC SEC TWP RGE COUNTY
001 SENENE 33 32N 37E VALLEY
002 SWNNW 34 32N 37E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03-31-95
PAGE 3,663

WATER RIGHT NUMBER 400-W-077356-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077355-00, W077356-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,664

WATER RIGHT NUMBER 400-W-077357-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF ALKALI CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 E2MENE 34 32N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM E2MENE 34 32N 37E VALLEY

PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NENE 34 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3,665

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
NO77357-00. NO77358-00.

1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE ONRC DURING ITS 2
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
3 UNRESOLVED IF NO OBJECTIONS ARE FILED. 2

1 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
2 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
3 AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
4 MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
5 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
6 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
7 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,666

WATER RIGHT NUMBER 400-W-077350-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF ALKALI CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS
01 E2NENE 34 32N 37E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWSTREAM E2NENE 34 32N 37E VALLEY

PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NENE 34 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,667

WATER RIGHT NUMBER 400-V-077358-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077357-00, W077358-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P. O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,668

WATER RIGHT NUMBER 4003-W-077359-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: ALKALI CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 07, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 9.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NEN	SW	35	32N	37E	VALLEY	DAM

RESERVOIR:

	DIR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM	NEN	SW	35	32N	37E	VALLEY

THE DAM EXTENDS INTO NNWESW SEC 35 TWP 32N RGE 37E VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY
001				NNW	SW	35	32N	37E	VALLEY
002				NEN	SW	35	32N	37E	VALLEY

REMARKS:

03/31/95
PAGE 3.669

REMARKS CONTINUED:

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*****
X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
X UNRESOLVED IF NO OBJECTIONS ARE FILED.
X
X
X
X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
X AREA, 234 MONT. 1ST (1980) THE BEAN LAKE CASE, THE
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
X
X
X
*****

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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURE, OR CONSIDER YOUR WATER RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING (303) 424-3030 (LUTHERAN MOUNTAIN, CO), OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT. 59714-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,670

WATER RIGHT NUMBER 4001-V-077360-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: ALKALI CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: MAY 07, 1969
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				NEN	WSW	35	32N	37E VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DOWNSTREAM			NEN	WSW	35 32N 37E VALLEY

THE DAM EXTENDS INTO THE NENSW SEC 35 TWP 32N RGE 37E VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					NEN	WSW	35	32N	37E VALLEY
002					NEN	WSW	35	32N	37E VALLEY

REMARKS:

PRELIMINARY DECREE
MLK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,671

WATER RIGHT NUMBER 400-W-077360-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077359-00, W077360-00.

1 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
1 DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,672

WATER RIGHT NUMBER 400-W-077361-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT.)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: BLACK COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 10, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.71 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01							MESWNE 35 32N 37E VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01							MESWNE 35 32N 37E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001								MESWNE 35 32N 37E VALLEY
002								MESWNE 35 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,673

WATER RIGHT NUMBER 400-W-077361-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W0:7361-00, W077362-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,674

WATER RIGHT NUMBER: 400-1-077362-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: BLACK COULEE
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 10, 1963
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK Q18 SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NESWME 35 32N 37E VALLEY DAM

RESERVOIR:

----- Q18 SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NESWME 35 32N 37E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK Q18 SEC SEC TWP RGE COUNTY -----
001 SENWME 35 32N 37E VALLEY
002 NESWME 35 32N 37E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,675

WATER RIGHT NUMBER 1400-W-077362-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077361-00, W077362-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,676

WATER RIGHT NUMBER 400 - W-077363-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN IN THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

- * SOURCE: SPRING, TRIB OF BUGGY CREEK
SOURCE TYPE: GROUNDWATER
- * PRIORITY DATE: DECEMBER 31, 1888
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 3.01 GPM

- * VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----
01 NWNSE 01 32N 38E UALLEY DEVELOPED SPRING

- * PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 NWNSE 01 32N 38E UALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME SPRING. W077363-00, W077364-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,677

WATER RIGHT NUMBER 400 - W-077363-00 (CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

03/31/95
PAGE 3,678

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUBSURFACE UNIT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

ADDRES: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: SPRING, TRIB OF BUGGY CREEK
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: JUNE 28, 1934
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 3.01 GPM

VOLUME 1 4-05 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION CMD MEANS OF DIVERSION:

LGT BLK QTR SEC SEC IMP RGE COUNTY MEANS

01 NWNWSE 01 42N 38E VALLEY DEVELOPED SPRING

3 PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NORTHERN 01 32N 38E UGLEY

REMARKS:

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT
ON 03/24/95. PRIORITY DATE AND TYPE OF RIGHT.

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE ASSOCIATED. THEY SHARE THE SAME SPRING. W077363-00, W077364-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
* EXAMINATION OF THIS WATER RIGHT CLAIM- THESE ISSUES MAY REMAIN
* UNRESOLVED IF NO OBJECTIONS ARE FILED-

x 1 23

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,679

WATER RIGHT NUMBER 400x-W-077364-00x (CONTINUED)

REMARKS CONTINUED:

* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,680

WATER RIGHT NUMBER: 400-M-077365-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1951
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC IWP RGE COUNTY MEANS

01 N4NWSE 13 32N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC IWP RGE COUNTY

01 ONSTREAM N4NWSE 13 32N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC IWP RGE COUNTY

001 S2SWNE 13 32N 38E VALLEY
002 N2NWSE 13 32N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,681

WATER RIGHT NUMBER 400-W-077365-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077365-00, W077366-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,682

WATER RIGHT NUMBER 4001-V-077366-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1951
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS UNSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NNNWSE 13 32N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NNNWSE 13 32N 38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 S2SWNE 13 32N 38E VALLEY
002 N2NWSE 13 32N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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WATER RIGHT NUMBER 400-W-077366-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077366-00, W077366-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,684

WATER₁RIGHT₁NUMBER₁400₁-W-077367-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 05-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: BEAR CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT 9LK QTR SEC SEC 1WP RGE COUNTY MEANS -----
01 SENWSE 17 32N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC 1WP RGE COUNTY -----
01 ONSTREAM SENWSE 17 32N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT 9LK QTR SEC SEC 1WP RGE COUNTY -----
001 E2NWSE 17 32N 38E VALLEY

BEDROCKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,685

WATER RIGHT NUMBER 400-W-077367-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077367-00, W077368-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,686

WATER RIGHT NUMBER 400-M-077368-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: BEAR CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 SENWSE 17 32N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SENWSE 17 32N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 E2NWSE 17 32N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,687

WATER RIGHT NUMBER 400-V-077368-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077367-00, W077368-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,688

WATER RIGHT NUMBER 400 - W-077369-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN IN THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 NESWNE 24 32N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 DOWNSTREAM NESWNE 24 32N 38E VALLEY

THE DAM EXTENDS INTO THE SENWNE SEC 24 TWP 32N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 NESWNE 24 32N 38E VALLEY
002 SENWSE 24 32N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,689

WATER;RIGHT;NUMBER;400;V-O 77369-00;(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077369-00, W077370-00.

X THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, X
X DATA, OR ISSUES TO REPORT TO THE WATER COURT. X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,690

WATER RIGHT NUMBER 400-4-077370-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1998
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 1.08 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 NESWNE 24 32N 38E VALLEY DAM
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 DOWNSTREAM NESWNE 24 32N 38E VALLEY
THE DAM EXTENDS INTO SENWNE SEC 24 TWP 32N RGE 38E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SENWNE 24 32N 38E VALLEY
002 NESWNE 24 32N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,691

WATER RIGHT NUMBER 400-W-077370-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077369-00, W077370-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X X
X X X X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,692

WATER RIGHT NUMBER 400-W-077371-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF BEAR CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	NENWSE 29 32N 38E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	NENWSE 29 32N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		SWSENE 29 32N 38E VALLEY
002		SESWNE 29 32N 38E VALLEY
003		NENWSE 29 32N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,693

WATER RIGHT NUMBER 4001-V-077371-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077371-00, W077372-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING:
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,694

WATER RIGHT NUMBER 400-W-077372-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE(USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF BEAR CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 MENWSE 29 32N 38E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DOWNSTREAM MENWSE 29 32N 38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENE 29 32N 38E VALLEY
002 SESWNE 29 32N 38E VALLEY
003 NENWSE 29 32N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 24

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,695

WATER RIGHT NUMBER 400-W-077372-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077371-00, W077372-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,696

WATER RIGHT NUMBER: 400-W-07373-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 26, 1965
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01					52	SENE	06	32N 39E VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DOWSTREAM			52	SENE	06 32N 39E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001							52	SENE	06 32N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,697

WATER RIGHT NUMBER: 4001-W-077373-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077373-00, W077374-00

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,698

WATER RIGHT NUMBER 400 - W-077374-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 26, 1965
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM THIS ONSTREAM RESERVOIR.

VOLUME: 6.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 S2SENE 06 32N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM S2SENE 06 32N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 S2SENE 06 32N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3,699

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077373-00, W077374-00

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1 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
3 UNRESOLVED IF NO OBJECTIONS ARE FILED.
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10 THERE IS A QUESTION AS TO THE VALIDITY OF THIS
11 CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
12 AREA, 234 MONT. 343 (1980) (THE BEAN LAKE CASE) THE
13 MONTANA SUPREME COURT STATED, "IT IS CLEAR HERE
14 THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
15 RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
16 WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
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A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,700

WATER RIGHT NUMBER: 400, W-077375-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF WOLF CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 12, 1957
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NESW	18	32N	39E	VALLEY	DAM	

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	DNSTREAM			NESW	18	32N 39E VALLEY

PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NESW	18	32N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,701

WATER;RIGHT;NUMBER;400;W-077375-00;(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREE THE RIGHT TO
ALTER AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077375-00, W077376-00

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,702

WATER RIGHT NUMBER: R4002-W-077376-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF WOLF CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: DECEMBER 12, 1957
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 11.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESW 18 32N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESW 18 32N 39E VALLEY

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NESW 18 32N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3,703

REMARKS CONTINUED:

2 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS 2
2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
2 UNRESOLVED IF NO OBJECTIONS ARE FILED. 2

COMPLETE DETAILS REGARDING THE DNR EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,704

WATER RIGHT NUMBER 400-077377-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER
DEPT OF STATE LANDS
PO BOX 201601
HELENA MT 59620-1601

PURPOSE (USE): STOCK

- * SOURCE: UNNAMED TRIBUTARY OF CROOKED CREEK
SOURCE TYPE: SURFACE WATER
- * PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE
- * FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.
- * VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED
FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY
PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE
CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY
THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS -----
01 SWSENE 32 32N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWSENE 32 32N 39E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSENE 32 32N 39E VALLEY

REMARKS:

* H 25

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,705

WATER RIGHT NUMBER 400-W-077377-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077377-00, W077378-00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/88.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 819, BOZEMAN MT 59711-0819.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,706

WATER RIGHT NUMBER 400 W-077378-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: MONTANA, STATE OF BOARD OF LAND COMMISSIONER
DEPT OF STATE LANDS
PO BOX 201601
HELENA MT 59620-1601

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF CROOKED CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1961
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWSENE 32 32N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWSENE 32 32N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSENE 32 32N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,707

WATER RIGHT NUMBER 400-4-077378-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT, RATHER IT DECREEES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077377-00, W077378-00

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/88.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X

X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1975, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER: 4002-W-077379-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 26600
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SENENE 01 33N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SENENE 01 33N 38E VALLEY

THE DAM EXTENDS INTO GOUT LOT 10 IN SEC 31 TWP 34N
RGE 39E VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 SENENE 01 33N 38E VALLEY
002 (GOUT) 10 SW 31 34N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,709

WATER RIGHT NUMBER 400-W-077379-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077379-00, W077380-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x x x x x x

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
x x x x x x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 579, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,710

WATER RIGHT NUMBER 400-W-077380-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENENE 01 33N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENENE 01 33N 38E VALLEY
THE DAM EXTENDS INTO GOVT LOT 10 IN SEC 31 TWP 34N
RGE 39E VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENENE 01 33N 38E VALLEY
002 (GOVT) 10 SW 31 34N 39E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,711

WATER RIGHT NUMBER 4003-W-077380-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077379-00, W077380-00.

1 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 1
1 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 1

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,712

WATER RIGHT NUMBER 400-W-077381-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NW	SE	SE	15	33N	38E	VALLEY DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM			NW	SE	SE

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SW	NE	SE	15	33N	38E
002				NE	SE	SE	15	33N	38E

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,713

WATER RIGHT NUMBER 400-W-077381-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077381-00, W077382-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,714

WATER RIGHT NUMBER 4001-W-077382-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITARY DATE: DECEMBER 31, 1947
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NWSESE	15	33N	38E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			ONSTREAM		NWSESE	15	33N 38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				S2NESE	15	33N	38E	VALLEY
002				N2ESES	15	33N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

09/31/95
PAGE 3,715

WATER RIGHT NUMBER 400-W-077382-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077381-00, W077382-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,716

WATER RIGHT NUMBER 400-W-077383-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1951
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWE 17 33N 38E VALLEY DAM
RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSWE 17 33N 38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWE 17 33N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,717

WATER RIGHT NUMBER 400-W-077383-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077383-00, W077384-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,718

WATER RIGHT NUMBER 400-V-077384-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY. * UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1951
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DOWNSTREAM RESERVOIR.

VOLUME: 4.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			N	WS	E	17	33N	30E	VALLEY DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY				
01	DOWNSTREAM			N	WS	E	17	33N	30E	VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
001				N	WS	E	17	33N	30E	VALLEY

BEADBBK:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

03/31/95
PAGE 3,719

REMARKS CONTINUED:

 2 THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS 2
 2 EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN 2
 2 UNRESOLVED IF NO OBJECTIONS ARE FILED. 2

THERE IS A QUESTION AS TO THE VALIDITY OF THIS CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND WILDLIFE. EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,720

WATER RIGHT NUMBER 4002-W-077385-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: CANYON CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 23, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.60 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NW	SE	19	33N	38E	VALLEY DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			DN	STR			

RESERVOIR/LAKE NAME: TRAPPER RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NW	SE	19	33N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,721

WATER RIGHT NUMBER 400-W-077385-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077385-00, W077386-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X X

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."
X
X
X
X
X
X
X
X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,722

WATER RIGHT NUMBER: 400-W-077386-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

ADDRESS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: CANYON CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: APRIL 23, 1968
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY DEANS
01 NWSE 19 33N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSE 19 33N 38E VALLEY
RESERVOIR/LAKE NAME: TRAPPER RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSE 19 33N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,723

WATER RIGHT NUMBER 400-W-077386-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077385-00, W077386-00.

1 THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, 2
1 DATA, OR ISSUES TO REPORT TO THE WATER COURT. 2

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 679, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,724

WATER RIGHT NUMBER 400-W-077387-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 31, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 1.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SWNWNE 20 33N 36E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SWNWNE 20 33N 36E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNWNE 20 33N 36E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,725

WATER RIGHT NUMBER 400-W-077387-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077387-00, W077388-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 294 MONT. 343 (1988) (THE BEAR LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILD LIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,726

WATER RIGHT NUMBER: 400-W-077388-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: OCTOBER 31, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

01 SWNWNE 20 33N 38E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM SWNWNE 20 33N 38E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 WNWNE 20 33N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,727

WATER RIGHT NUMBER 400-V-077388-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077387-00, W077388-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,728

WATER RIGHT NUMBER 400-W-077389-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JUNE 30, 1972
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 2.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS

01 SWSSE 21 33N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY

01 ONSTREAM SWSSE 21 33N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY

001 S2SESE 21 33N 38E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,729

WATER RIGHT NUMBER 400-W-077389-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077389-00, W077390-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,730

WATER RIGHT NUMBER 400-W-077390-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 05-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JUNE 30, 1972
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				S	W	SE	SE	21 33N 38E	VALLEY DAM

RESERVOIR:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM				S	W	SE	SE	21 33N 38E

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				S	W	SE	SE	21 33N 38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,731

WATER RIGHT NUMBER 400-W-077390-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077389-00, W077390-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,732

WATER RIGHT NUMBER 400-W-077391-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1949
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC TWP RGE COUNTY MEANS
01 SENENW 26 33N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENENW 26 33N 38E VALLEY

RESERVOIR/LAKE NAME: FORSMAN RESERVOIR

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2SWSE 23 33N 38E VALLEY
002 E2SESW 23 33N 38E VALLEY
003 NENW 26 33N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,733

WATER RIGHT NUMBER 400-W-077391-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077391-00, W077392-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-524-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03-31/95
PAGE 3,734

WATER RIGHT NUMBER: 400-11-077392-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 31, 1949
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SENENW 26 33N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENENW 26 33N 38E VALLEY

RESERVOIR/LAKE NAME: FORSMAN RESERVOIR

PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 W2SWSE 23 33N 38E VALLEY
002 E2SESW 23 33N 38E VALLEY
003 ENW 26 33N 38E VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,735

WATER RIGHT NUMBER 400-W-077392-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE
EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077391-00, W077392-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,736

WATER RIGHT NUMBER 4002-V-077393-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: CANYON CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01	NWSESE 30 33N 38E VALLEY	DAM

RESERVOIR:

	QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM	NWSESE 30 33N 38E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001		NWSESE 30 33N 38E VALLEY

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,737

WATER RIGHT NUMBER 400-W-077393-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077393-00, W077394-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,738

WATER RIGHT NUMBER 4001-V-077394-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: CANYON CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY		MEANS
01	NWSE 30 33N 38E VALLEY	DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY	
01 ONSTREAM	NWSE 30 33N 38E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY	
001	NWSE 30 33N 38E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,739

WATER:RIGHT:NUMBER:400:W-077394-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077393-00, W077394-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANCES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,740

WATER RIGHT NUMBER 4001-V-077395-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-239, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 46.01 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNWSE 31 33N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNWSE 31 33N 38E VALLEY

RESERVOIR/LAKE NAME: NEWBERRY FLAT RESERVOIR
CAPACITY: 46.0 AC-FT DAM HEIGHT: 19-FT SURFACE AREA: 808ES

THE DAM HEIGHT HAS BEEN ESTIMATED BY UNRC.

SEE THE BLN PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR WILDLIFE:

808ES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWNE 31 33N 38E VALLEY
002 SWNEW 31 33N 38E VALLEY
003 SE 31 33N 38E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,741

WATER RIGHT NUMBER 400-W-077395-00 (CONTINUED)

PLACE OF USE CONTINUED:

004	NWNWE	31	33N	38E	VALLEY
005	NENSW	31	33N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077395-00, W077396-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 2ND MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONT. SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILD, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,742

WATER RIGHT NUMBER 400-077396-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JULY 01, 1942
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWNWSE 31 33N 38E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWNWSE 31 33N 38E VALLEY

RESERVOIR/LAKE NAME: NEWBERRY FLAT RESERVOIR
CAPACITY: 46.8 AC-FT DAM HEIGHT: 19.1 SURFACE AREA: ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

SEE THE DAM HEIGHT HAS WORKSHEET IN THE CLAIM FILE
FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWSWNE 31 33N 38E VALLEY
002 SWNE 31 33N 38E VALLEY

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,743

WATER RIGHT NUMBER 400X-W-077396-00 (CONTINUED)

PLACE OF USE CONTINUED:

003	SENW	31	33N	38E	VALLEY
004	NWNWSE	31	33N	38E	VALLEY
005	NENESW	31	33N	38E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077395-00, W077396-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,744

WATER RIGHT NUMBER 4001-W-077397-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGED FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 28, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 5.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NWSWNE	34	33N	38E	VALLEY		DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01		ONSTREAM	NWSWNE	34	33N	38E	VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		NWSWNE	34	33N	38E	VALLEY		

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,745

WATER RIGHT NUMBER 400-W-077397-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077397-00, W077398-00.

x THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS x
x EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN x
x UNRESOLVED IF NO OBJECTIONS ARE FILED. x
x x
x x
x x
x THERE IS A QUESTION AS TO THE VALIDITY OF THIS x
x CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE x
x AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE x
x MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE x
x THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION x
x RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND x
x WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." x
x x
x *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT
TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/85
PAGE 3,746

WATER RIGHT NUMBER 400g-W-077398-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36600
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF CANYON CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: JUNE 28, 1965
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWNE 34 33N 30E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSWNE 34 33N 30E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSWNE 34 33N 30E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,747

WATER RIGHT NUMBER 400-W-077398-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077397-00, W077398-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,748

WATER RIGHT NUMBER: 4002-W-077399-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 12, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 8.40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 SESWNE 02 33N 39E VALLEY DRY/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SESWNE 02 33N 39E VALLEY
RESERVOIR/LAKE NAME: CASPER RETENTION RESERVOIR

PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 E2SWNE 02 33N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,749

WATER RIGHT NUMBER 400-W-077399-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077399-00, W077400-00.

: THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS :
: EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN :
: UNRESOLVED IF NO OBJECTIONS ARE FILED. :
: :
: :
: :
: THE PRIORITY DATE IS QUESTIONABLE. THE BLM PROJECT :
: COMPLETION REPORT INDICATES A COMPLETION DATE OF JUNE :
: 17, 1966. :
: :
: THERE IS A QUESTION AS TO THE VALIDITY OF THIS :
: CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE :
: AREA, 294 MONT. 343 (1988) (THE BEAN LAKE CASE) THE :
: MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE :
: THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION :
: RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND :
: WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." :
: :
: THE RESERVOIR IS NOT SHOWN IN AERIAL PHOTOGRAPH NO. :
: NC-11W-205, DATED 7-26-59. IT APPEARS TO HAVE BEEN :
: BUILT AFTER 7-26-59. :
: :
: *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,750

WATER RIGHT NUMBER 400-M-077400-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 12, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		SESWNE	02	33N	39E	VALLEY	DAM/PIT	

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	SESWNE	02	33N	39E	VALLEY	

RESERVOIR/LAKE NAME: CASPER RETENTION RESERVOIR

PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001		E2SWNE	02	33N	39E	VALLEY		

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,751

WATER RIGHT NUMBER 400 - W-077400-00 (CONTINUED)

REMARKS CONTINUED:

EXTENT OF THE WATER RIGHT. RATHER IT DECREES THE
RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF
THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077399-00, W077400-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE PRIORITY DATE IS QUESTIONABLE. THE BLM PROJECT *
* COMPLETION REPORT INDICATES A COMPLETION DATE OF JUNE *
* 17, 1966. *
* * * * *
* THE RESERVOIR IS NOT SHOWN IN AERIAL PHOTOGRAPH NO. *
* NC-11W-205. DATED 7-26-59. IT APPEARS TO HAVE BEEN *
* BUILT AFTER 7-26-59. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
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TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,752

WATER RIGHT NUMBER 400-W-077401-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER
DEPT OF STATE LANDS
PO BOX 201501
HELENA MT 59620-1601

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NW	NE	SW	04	33N	39E	VALLEY	DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	NW	NE	SW	04	33N	39E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NW	NE	SW	04	33N	39E	VALLEY

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,753

WATER RIGHT NUMBER: 400-W-077401-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077401-00, W077402-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/88.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

077191	A 01	077218	J 04	077245	D 08
077191	B 01	077218	K 04	077245	E 08
077192	C 01	077219	L 04	077246	F 08
077192	D 01	077219	M 04	077246	G 08
077193	E 01	077220	N 04	077247	H 08
077193	F 01	077220	D 04	077247	I 08
077194	G 01	077221	A 05	077248	J 08
077194	H 01	077221	B 05	077248	K 08
077195	I 01	077222	C 05	077249	L 08
077195	J 01	077222	D 05	077249	M 08
077196	K 01	077223	E 05	077250	N 08
077196	L 01	077223	F 05	077250	O 08
077197	M 01	077224	G 05	077251	A 09
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077198	O 01	077225	I 05	077252	C 09
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077199	B 02	077226	K 05	077253	E 09
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077201	F 02	077228	O 05	077255	I 09
077201	G 02	077228	A 06	077255	J 09
077202	H 02	077229	B 06	077256	K 09
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077203	K 02	077230	E 06	077257	N 09
077204	L 02	077231	F 06	077258	O 09
077204	M 02	077231	G 06	077258	A 10
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077205	D 02	077232	I 06	077259	C 10
077206	A 03	077233	J 06	077260	D 10
077206	B 03	077233	K 06	077260	E 10
077207	C 03	077234	L 06	077261	F 10
077207	D 03	077234	M 06	077261	G 10
077208	E 03	077235	N 06	077262	H 10
077208	F 03	077235	O 06	077262	I 10
077209	G 03	077236	A 07	077263	J 10
077209	H 03	077236	B 07	077263	K 10
077210	I 03	077237	C 07	077264	L 10
077210	J 03	077237	D 07	077264	M 10
077211	K 03	077238	E 07	077265	N 10
077211	L 03	077238	F 07	077265	O 10
077212	M 03	077239	G 07	077266	A 11
077212	N 03	077239	H 07	077266	B 11
077213	O 03	077240	I 07	077267	C 11
077213	A 04	077240	J 07	077267	D 11
077214	B 04	077241	K 07	077268	E 11
077214	C 04	077241	L 07	077268	F 11
077215	D 04	077242	M 07	077269	G 11
077215	E 04	077242	N 07	077269	H 11
077216	F 04	077243	O 07	077270	I 11
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077217	H 04	077244	B 08	077271	K 11
077217	I 04	077244	C 08	077271	L 11

JSEQ=0009 BSEQ=0009 J5706021

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

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 077295 M 14
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JSEQ=0009 BSEQ=0009 J5706021

WATER RIGHT NO.

WATER RIGHT NO.

WATER RIGHT NO.

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077356	K 22	077383	E 26
077356	L 22	077383	F 26
077357	M 22	077384	G 26
077357	N 22	077384	H 26
077358	O 22	077385	I 26
077358	P 23	077385	J 26
077359	Q 23	077386	K 26
077359	R 23	077386	L 26
077360	S 23	077387	M 26
077360	T 23	077387	N 26
077361	U 23	077388	O 26
077361	V 23	077388	P 27
077362	W 23	077389	Q 27
077362	X 23	077389	R 27
077363	Y 23	077390	S 27
077363	Z 23	077390	T 27
077364	AA 23	077391	U 27
077364	AB 23	077391	V 27
077365	AC 23	077392	W 27
077365	AD 23	077392	X 27
077366	AE 24	077393	Y 27
077366	AF 24	077393	Z 27
077367	AG 24	077394	AA 27
077367	AH 24	077394	AB 27
077368	AI 24	077395	AC 27
077368	AJ 24	077395	AD 27
077369	AK 24	077396	AE 28
077369	AL 24	077396	AF 28
077370	AM 24	077397	AG 28
077370	AN 24	077397	AH 28
077371	AO 24	077398	AI 28
077371	AP 24	077398	AJ 28
077372	AQ 24	077399	AK 28
077372	AR 24	077399	AL 28
077373	AS 25	077400	AM 28
077373	AT 25	077400	AN 28
077374	AV 25	077401	AO 28
077374	AW 25	077401	AP 28
077375	AX 25		
077375	AY 25		
077376	AZ 25		
077376	BA 25		
077377	BB 25		
077377	BC 25		
077378	BD 25		
077378	BE 25		
077379	BF 25		
077379	BG 25		
077380	BH 25		
077380	BI 25		
077381	BJ 26		
077381	BK 26		
077382	BL 26		

JSEQ=0009 BSEQ=0009 J5706021

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,754

WATER RIGHT NUMBER 4001-W-077402-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: MONTANA, STATE OF BOARD OF LAND COMMISSIONER
DEPT OF STATE LANDS
PO BOX 201601
HELENA MT 59620-1601

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 3.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NW	33N	39E	VALLEY		DAM	

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM	NW	33N	39E	VALLEY		

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NW	33N	39E	VALLEY		

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,755

WATER RIGHT NUMBER 400-W-077402-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077401-00, W077402-00.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 04/08/88.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT
TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
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DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,756

WATER RIGHT NUMBER 400-W-077403-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NWSWSE	06	33N	39E	VALLEY	DAM

RESERVOIR:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01			ONSTREAM			NWSWSE	06	33N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001						N2SWSE	06	33N 39E	VALLEY

REMARKS:

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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,757

WATER RIGHT NUMBER: W-077403-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077403-00, W077404-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
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* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

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FLOW RATLS, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,758

WATER RIGHT NUMBER 400-W-077404-00

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01		NWSWSE	06	33N	39E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM	NWSWSE	06	33N	39E	VALLEY	

* PLACE OF USE FOR STOCK:

	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	N2SWSE	06	33N	39E	VALLEY		

REMARKS:

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MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,759

WATER RIGHT NUMBER 400-W-077404-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077403-00, W077404-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 979, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,760

WATER RIGHT NUMBER 4001-W-077405-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 10.48 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NWSWSW 08 33N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NWSWSW 08 33N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 NWSW 08 33N 39E VALLEY
002 NWSWSW 08 33N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,761

WATER:RIGHT:NUMBER:400:W-077405-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077405-00, W077406-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,762

WATER RIGHT NUMBER 4001-W-077406-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF BUGGY CREEK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS UNSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QIB SEC SEC TWP RGE COUNTY ----- MEANS
01 NWSWSW 08 33N 39E VALLEY DAM

RESERVOIR:

----- QIB SEC SEC TWP RGE COUNTY -----
01 ONSTREAM NWSWSW 08 33N 39E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QIB SEC SEC TWP RGE COUNTY -----
001 NWSW 08 33N 39E VALLEY
002 NWSWSW 08 33N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* I 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,763

WATER RIGHT NUMBER 400-V-077406-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077405-00, W077406-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,764

WATER RIGHT NUMBER 400g-W-077407-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 6.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- DEAMS
01 SWSENE 01 34N 39E VALLEY DAM/PIT
RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----
01 ONSTREAM SWSENE 01 34N 39E VALLEY

* PLACE OF USE FOR WILDLIFE:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----
001 SWSENE 01 34N 39E VALLEY
BENDBKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,765

WATER RIGHT NUMBER 400-W-077407-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077407-00, W077408-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X
X X
X X
X THERE IS A QUESTION AS TO THE VALIDITY OF THIS X
X CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE X
X AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE X
X MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE X
X THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION X
X RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND X
X WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." X
X X
X *****

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEMATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,766

WATER RIGHT NUMBER 400-W-077408-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01							SWEENEY	DAM/PIT

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
01							SWEENEY

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001								SWEENEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* M 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,767

WATER:RIGHT:NUMBER:400:W-077408-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077407-00, W077408-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,768

WATER RIGHT NUMBER 400-W-077409-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 21, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01 SENWME 11 34N 39E VALLEY	DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENWME 11 34N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES	LOT BLK QTR SEC SEC TWP RGE COUNTY
001	E2NWME 11 34N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* 0 01

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,769

WATER RIGHT NUMBER 400-W-077409-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077409-00, W077410-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

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OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

03/31/95
PAGE 3,770

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

WATER RIGHT NUMBER 400-W-077410-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: AUGUST 21, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 12.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS	
01			SE	NW	11	34N	39E	VALLEY	DAM

RESERVOIR:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
01			SE	NW	11	34N	39E	VALLEY

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	
001			E	2N	W	11	34N	39E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,771

WATER RIGHT NUMBER 400-W-077410-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077409-00, W077410-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,772

WATER RIGHT NUMBER 4002-W-077411-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 21, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NESWSE	11	34N	39E	VALLEY		DAM

RESERVOIR:

		QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM	NESWSE	11	34N	39E	VALLEY	

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001			NESWSE	11	34N	39E	VALLEY		

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

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PAGE 3,773

WATER RIGHT NUMBER 400-W-077411-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077411-00, W077412-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
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"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

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PAGE 3,774

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTRISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 95-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: SEPTEMBER 21, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW_RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	DEANS
01			NESWSE	11	34N	39E	VALLEY		DAM
RESERVOIR:									

DTR SEC SEC TWP RGE COUNTY	
01	ONSTREAM NESWSE 11 34N 39E VALLEY

* PLACE_OF_USE_FOR_WILDLIFE:

-----ACRES-----LOT BLK QTR SEC SEC TWP RGE COUNTY-----
001 NESWE 11 34N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/25
PAGE 3,775

WATER RIGHT NUMBER 400-W-077412-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077411-00, W077412-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
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* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-596-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,776

WATER RIGHT NUMBER 4002-W-077413-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36000
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY	MEANS
01 SENESE 12 34N 39E VALLEY	DAM/PI

RESERVOIR:

LOT BLK QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM SENESE 12 34N 39E VALLEY

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SENESE 12 34N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,777

WATER:RIGHT:NUMBER:400:--W-077413-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077413-00, W077414-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

C3/31/95
PAGE 3,778

WATER RIGHT NUMBER 400-W-077414-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, MIDDLE FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS UNSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOI	BLK	QIR	SEC	SEC	IWP	RGE	COUNTY	MEANS
01			SENESE	12	34N	39E	VALLEY		DAM/PIT

RESERVOIR:

	QIR	SEC	SEC	IWP	RGE	COUNTY
01 ONSTREAM	SENESE	12	34N	39E	VALLEY	

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOI	BLK	QIR	SEC	SEC	IWP	RGE	COUNTY
001			SENESE	12	34N	39E	VALLEY		

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,779

WATER RIGHT NUMBER 400g-W-077414-00g(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077413-00, W077414-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
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P.O. BOX 879, BOZEMAN MT 59711-0879.

IMPORTANT NOTICE

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PURPOSE (USE): WILDLIFE

POTHOLE LAKE

FLOW_RATE:

VOLUME: 19.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

1. POINT OF DIVERSION AND MEANS OF DIVERSION:

LDI	BLK	DIR	SEC	SEC	TWP	RGE	COUNTY	MEANS
N2NENE	20	34N	39E	VALLEY				DIRECT FROM SOURCE
NWNE	20	34N	39E	VALLEY				DIRECT FROM SOURCE

* PLACE_OF_USE_EDR_WILDLIFE:

-----ACRES-----LOT_BLK-----QIR_SEC-----SEC-----TWP-----RGE-----COUNTY-----

001	NZENE	20	34N	39E	VALLEY
002	NWNE	20	34N	39E	VALLEY

REMARKS:

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,781

WATER RIGHT NUMBER 400-W-077415-00 (CONTINUED)

REMARKS CONTINUED:

W077415-00, W077416-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *
* THE CLAIMED VOLUME MAY BE EXCESSIVE FOR THE CLAIMED *
* PURPOSE AND CANNOT BE CONFIRMED DUE TO LACK OF DATA. *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,782

WATER RIGHT NUMBER 400-W-077416-00

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YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

- * SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

POTHOLE LAKE

PRIORITY DATE: JULY 28, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01									
02									

- * PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001									
002									

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,783

WATER RIGHT NUMBER 400-W-077416-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077415-00, W077416-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,784

WATER RIGHT NUMBER 400-W-077417-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY," UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE. THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NENENW	23	34N	39E	VALLEY		DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM			NENENW	23	34N	39E VALLEY

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NENENW	23	34N	39E	VALLEY	
002				NENENW	23	34N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,785

WATER RIGHT NUMBER 400 W-077417-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077417-00, W077418-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,786

WATER RIGHT NUMBER 4001-W-077418-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNCR) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: FEBRUARY 28, 1950
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				NENENW	23	34N	39E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01 ONSTREAM			NENENW	23	34N	39E VALLEY

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NNNNNE	23	34N	39E	VALLEY	
002				NENENW	23	34N	39E	VALLEY	

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,787

WATER RIGHT NUMBER 400-W-077418-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077417-00, W077418-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1979, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,788

WATER RIGHT NUMBER 400-W-077419-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 13, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 N2SESE 25 34N 39E VALLEY DAM/PI

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM N2SESE 25 34N 39E VALLEY
RESERVOIR/LAKE NAME: CULVER RETENTION RESERVOIR

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 N2SESE 25 34N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,789

WATER RIGHT NUMBER 400-W-077419-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077419-00, W077420-00.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,790

WATER RIGHT NUMBER 400-W-077420-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: JULY 13, 1966
TYPE OF HISTORICAL RIGHT: FILED

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSREAM RESERVOIR.

VOLUME: 1.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 N2SESE 25 34N 39E VALLEY DAM/PIT

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSREAM N2SESE 25 34N 39E VALLEY
RESERVOIR/LAKE NAME: CULVER RETENTION RESERVOIR

* PLACE OF USE FOR WILDLIFE:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 N2SESE 25 34N 39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
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FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

* G 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,791

WATER RIGHT NUMBER 400-W-077420-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077419-00, W077420-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,792

WATER RIGHT NUMBER: 400-W-077421-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

- * PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE
- * FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 43.78 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

- * POINT OF DIVERSION AND MEANS OF DIVERSION:

LOI BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 E2N6SW 28 34N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM E2N6SW 28 34N 39E VALLEY

RESERVOIR/LAKE NAME: WARDS RESERVOIR
CAPACITY: 44.4 AC-FT DAM HEIGHT: 16 FT SURFACE AREA: 8.70 ACRES

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

- * PLACE OF USE FOR WILDLIFE:

ACRES LOI BLK QTR SEC SEC TWP RGE COUNTY
001 E2N6SW 28 34N 39E VALLEY
002 SEW6SW 28 34N 39E VALLEY
003 SESW 28 34N 39E VALLEY
004 E2SW6W 28 34N 39E VALLEY

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,793

WATER:RIGHT:NUMBER:400:--W-077421-00:(CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077421-00, W077422-00.

THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS
EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN
UNRESOLVED IF NO OBJECTIONS ARE FILED.

THERE IS A QUESTION AS TO THE VALIDITY OF THIS
CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
AREA, 234 MONT. 943 (1988) (THE BEAR LAKE CASE) THE
MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,794

WATER RIGHT NUMBER: 400-1-W-077422-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 E2NESW 28 34N 39E VALLEY DAM

RESERVOIR:

----- QTR SEC SEC TWP RGE COUNTY -----

01 ONSTREAM E2NESW 28 34N 39E VALLEY

RESERVOIR/LAKE NAME: WARDS RESERVOIR

CAPACITY: 44.4 AC-FT DAM HEIGHT: 16 FT SURFACE AREA: 8.70 ACRES

SEE THE BLM PROJECT COMPLETION REPORT IN THE CLAIM
FILE FOR ADDITIONAL RESERVOIR DATA.

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001	E2NESW	28	34N	39E	VALLEY
002	SE2NESW	28	34N	39E	VALLEY
003	SESW	28	34N	39E	VALLEY
004	E2SWSW	28	34N	39E	VALLEY

* K 03

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,795

WATER RIGHT NUMBER 400-W-077422-00 (CONTINUED)

REMARKS CONTINUED:

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077421-00, W077422-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

WATER:RIGHT:NUMBER:400:M-W-077423-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

EDITHOLE LAKE

PRIORITY DATE: AUGUST 04, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM

VOLUME: .79 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LDI BLK QTR SEC SEC TWP RGE COUNTY -----						MEANS -----	
01		SENEW	28	34N	39E	VALLEY	DIRECT FROM SOURCE
02		NESEW	28	34N	39E	VALLEY	DIRECT FROM SOURCE

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	TWP	RGE	COUNTY
001					SENENW	28	34N	39E VALLEY
002					NESENW	28	34N	39E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,797

WATER RIGHT NUMBER 400 - W-077423-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077423-00, W077424-00.

: THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS. :
: DATA, OR ISSUES TO REPORT TO THE WATER COURT. :

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
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SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-566-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,798

WATER RIGHT NUMBER 400-M-077424-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

POTHOLE LAKE

PRIORITY DATE: AUGUST 04, 1936
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE:

VOLUME: 9.21 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			SE	N	28	34N	39E	VALLEY	DIRECT FROM SOURCE
02			NE	S	28	34N	39E	VALLEY	DIRECT FROM SOURCE

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SE	N	28	34N	39E	VALLEY
002				NE	S	28	34N	39E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,799

WATER RIGHT NUMBER 400-W-077424-00 (CONTINUED)

REMARKS CONTINUED:

W077423-00, W077424-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,800

WATER RIGHT NUMBER 4003-W-077425-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA DEPT OF INTERIOR BUREAU OF LAND MGMT
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 17, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: 4.40 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				SENWSE	26	35N	39E	VALLEY	DAM
02				NESWSE	26	35N	39E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	UNSTREAM		NESWSE	26	35N	39E VALLEY

THE DAM EXTENDS INTO SENWSE SEC 26 TWP 35N RGE 39E
VALLEY COUNTY.

* PLACE OF USE FOR WILDLIFE:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SWNESE	26	35N	39E	VALLEY	
002				SENWSE	26	35N	39E	VALLEY	
003				NWSESE	26	35N	39E	VALLEY	
004				NESWSE	26	35N	39E	VALLEY	

REMARKS:

* B 04

REMARKS CONTINUED:

 * THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
 * EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
 * UNRESOLVED IF NO OBJECTIONS ARE FILED. *

* THERE IS A QUESTION AS TO THE VALIDITY OF THIS
 * CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE
 * AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE
 * MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE
 * THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION
 * RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND
 * WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE."

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,802

WATER RIGHT NUMBER 400-W-077426-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36900
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

PRIORITY DATE: OCTOBER 17, 1961
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01				SENWSE	26	35N	39E	VALLEY	DAM
02				NESWSE	26	35N	39E	VALLEY	DAM

RESERVOIR:

	QTR	SEC	SEC	TWP	RGE	COUNTY
01	ONSTREAM		NESWSE	26	35N	39E VALLEY

THE DAM EXTENDS INTO SENWSE SEC 26 TWP 35N RGE 39E VALLEY COUNTY.

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				SWNESE	26	35N	39E	VALLEY	
002				SENWSE	26	35N	39E	VALLEY	
003				NWSESE	26	35N	39E	VALLEY	
004				NESWSE	26	35N	39E	VALLEY	

REMARKS:

* D 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,803

WATER RIGHT NUMBER 400-W-077426-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077425-00, W077426-00.

X THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS X
X EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN X
X UNRESOLVED IF NO OBJECTIONS ARE FILED. X
X X X
X X X
X THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT WERE X
X FILED BY DIFFERENT PARTIES WHO CLAIM OVERLAPPING X
X PLACES OF USE. W042113-00, W077425-00, W077426-00. X
X X X
X X X

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,804

WATER₂RIGHT₂NUMBER₂400₂-W-077427-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS ONSTREAM RESERVOIR.

VOLUME: .62 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESWSW 34 35N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 ONSTREAM NESWSW 34 35N 39E VALLEY
CAPACITY: 36.0 AC-EI DAM HEIGHT: 15 EI SURFACE AREA: 5.60 AC8ES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC.

* PLACE OF USE FOR STOCK:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNWSW 34 35N 39E VALLEY
002 NESWSW 34 35N 39E VALLEY

REMARKS:

* F 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,805

WATER:RIGHT:NUMBER:400:W-077427-00:(CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077427-00, W077428-00.

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,806

WATER RIGHT NUMBER: 4002-W-077428-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNER: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

SOURCE: UNNAMED TRIBUTARY OF PORCUPINE CREEK, WEST FORK
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1937
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: NO FLOW RATE HAS BEEN DECREED FOR THIS USE FROM
THIS DNSTREAM RESERVOIR.

VOLUME: 35.38 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY MEANS
01 NESW 34 35N 39E VALLEY DAM

RESERVOIR:

QTR SEC SEC TWP RGE COUNTY
01 DNSTREAM NESW 34 35N 39E VALLEY
CAPACITY: 35.0 AC-FT DAM HEIGHT: 15 FT SURFACE AREA: 5.60 ACRES

SEE THE BLM PROJECT COMPLETION REPORT WORKSHEET IN
THE CLAIM FILE FOR ADDITIONAL RESERVOIR DATA.

THE DAM HEIGHT HAS BEEN ESTIMATED BY DNRC.

* PLACE OF USE FOR WILDLIFE:

ACRES LOT BLK QTR SEC SEC TWP RGE COUNTY
001 SWNW 34 35N 39E VALLEY
002 NESW 34 35N 39E VALLEY

REMARKS:

* H 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,807

WATER RIGHT NUMBER 400-W-077428-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF
THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077427-00, W077428-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1908) (THE BEAR LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADDJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,808

WATER RIGHT NUMBER: 400-1-077770-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON NOTICE OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): STOCK

* SOURCE: SPRING, TRIB OF HAWK COULEE
SOURCE TYPE: GROUNDWATER

ALSO KNOWN AS MOUSE SPRING

* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 1.97 GPM

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS	
01							NESENE	28 30N 40E VALLEY	DEVELOPED SPRING

* PLACE OF USE FOR STOCK:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001								NESENE 28 30N 40E VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE
MULTIPLE USES OF THE SAME RIGHT. THE USE OF THE RIGHT
FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,809

WATER RIGHT NUMBER 400-V-077770-00 (CONTINUED)

REMARKS CONTINUED:

THE WATER RIGHT. RATHER IT DECREES THE RIGHT TO
ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER
IN ACCORD WITH HISTORICAL PRACTICES.
W077770-00, W077771-00.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO *
* SUPPORT THIS CLAIM. *
* *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING
YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT
TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS
CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED
"NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF
YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE
DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF
AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT
PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,810

WATER RIGHT NUMBER 400-W-077771-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS: USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
PO BOX 36800
BILLINGS MT 59107

PURPOSE (USE): WILDLIFE

* SOURCE: SPRING, TRIB OF HAWK COULEE
SOURCE TYPE: GROUNDWATER

ALSO KNOWN AS MOUSE SPRING

* PRIORITY DATE: DECEMBER 31, 1966
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 1.97 GPM

VOLUME: 2.58 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			NESENE	28	30N	40E	VALLEY	DEVELOPED SPRING

* PLACE OF USE FOR WILDLIFE:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001				NESENE	28	30N	40E	VALLEY

REMARKS:

THE WATER RIGHTS LISTED FOLLOWING THIS STATEMENT ARE MULTIPLE USES OF THE SAME RIGHT. THE USE OF THIS RIGHT FOR SEVERAL PURPOSES DOES NOT INCREASE THE EXTENT OF THE WATER RIGHT. RATHER IT DECREASES THE RIGHT TO ALTERNATE AND EXCHANGE THE USE (PURPOSE) OF THE WATER IN ACCORD WITH HISTORICAL PRACTICES.
W077770-00, W077771-00.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,811

WATER RIGHT NUMBER 4002-W-077771-002 (CONTINUED)

REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DMRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE PRIORITY DATE IS IN QUESTION. NO DOCUMENTATION AS *
* REQUIRED BY THE 1961 GROUNDWATER CODE WAS SUBMITTED TO *
* SUPPORT THIS CLAIM. *
* * * * *
* THERE IS A QUESTION AS TO THE VALIDITY OF THIS *
* CLAIMED RIGHT. IN THE MATTER OF THE DEARBORN DRAINAGE *
* AREA, 234 MONT. 343 (1988) (THE BEAN LAKE CASE) THE *
* MONTANA SUPREME COURT STATED: "IT IS CLEAR THEREFORE *
* THAT UNDER MONTANA LAW BEFORE 1973, NO APPROPRIATION *
* RIGHT WAS RECOGNIZED FOR RECREATION, FISH AND *
* WILDLIFE, EXCEPT THROUGH A MURPHY RIGHT STATUTE." *
* * * * *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DMRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHARGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P.O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,812

WATER RIGHT NUMBER 400-W-102309-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS:	ANDERSEN	WILLIAM	F
	PO BOX 262		
	MANHATTAN	MT	59741
	ANDERSEN	IRMA	P
	PO BOX 262		
	MANHATTAN	MT	59741

* PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: WATER SPREADING

* SOURCE: CHERRY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

POINT OF DIVERSION NO. 2 IS ON AN UNNAMED TRIBUTARY
OF FOSS COULEE.

PRIORITY DATE: FEBRUARY 20, 1905
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE
CONSISTS OF DIRECT FLOW WATER SPREADING.

* VOLUME: 257.00 AF

CLIMATIC AREA: 2

THE VOLUME OF THIS WATER RIGHT HAS BEEN REDUCED TO THE
2.0 ACRE-FEET PER ACRE GUIDELINE FOR WATER SPREADING.
THE VOLUME MAY BE CONTESTED BY PROPER OBJECTION.

MAXIMUM ACRES: 128.50

PERIOD OF USE: MAY 01 TO OCTOBER 19

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01									
02									
	W2NWNE	24	29N	39E	URLEY				DIKE
	N2SWSE	13	29N	39E	URLEY				DIKE

PLACE OF USE FOR IRRIGATION:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
-------	-----	-----	-----	-----	-----	-----	-----	--------

* N 04

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,813

WATER RIGHT NUMBER W-102309-002 (CONTINUED)

PLACE OF USE CONTINUED:

001	25.50	SWSE	13	29N	39E	VALLEY
002	11.75	SESW	13	29N	39E	VALLEY
003	26.25	NWNE	24	29N	39E	VALLEY
004	30.60	NENW	24	29N	39E	VALLEY
005	34.90	NWNW	24	29N	39E	VALLEY
TOTAL	128.50					

REMARKS:

THE PLACE OF USE WAS AMENDED BY THE CLAIMANT ON
08/07/85.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* THE VALLEY COUNTY WATER RESOURCES SURVEY (1968) *
* APPEARS TO INDICATE 46.00 ACRES IRRIGATED. A *
* DESCRIPTION OF THESE ACRES IS IN THE CLAIM FILE. *
* *
* THIS CLAIM APPEARS TO BE CLAIMING TWO SEPARATE *
* SOURCES OF WATER. MORE THAN ONE WATER RIGHT MAY BE *
* INVOLVED. *
* *
* VOLUME MAY REQUIRE MODIFICATION BASED ON RESOLUTION *
* OF MAXIMUM ACRES ISSUE. *
* *

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

COMPLETE DETAILS REGARDING THE DNRC EXAMINATION RESULTS AND RELATED MATERIALS CAN BE REVIEWED AT THE OFFICE LOCATIONS IDENTIFIED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY."

SEE GENERAL FINDINGS OF FACT AND CONCLUSIONS OF LAW FOR FURTHER EXPLANATION OF YOUR CLAIMED WATER RIGHT. THESE FINDINGS CAN BE FOUND AS INDICATED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." IF YOU NEED OBJECTION FORMS, OR HAVE QUESTIONS ABOUT WATER COURT PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING 1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO P. O. BOX 879, BOZEMAN MT 59711-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,814

WATER RIGHT NUMBER 4002-W-102310-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-293, MONTANA CODE ANNOTATED.)

OWNERS:	ANDERSEN	WILLIAM	F
	PO BOX 262		
	MANHATTAN	MT	59741
	ANDERSEN	IRMA	P
	PO BOX 262		
	MANHATTAN	MT	59741

PURPOSE (USE): STOCK

* SOURCE: CHERRY CREEK, EAST FORK
SOURCE TYPE: SURFACE WATER

POINT OF DIVERSION NO. 2 IS ON FOSS COULEE.

PRIORITY DATE: FEBRUARY 20, 1905
TYPE OF HISTORICAL RIGHT: USE

* FLOW RATE: NO FLOW RATE HAS BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM.

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY	MEANS
01			N2NW	24	29N	39E	VALLEY		DIRECT FROM SOURCE
02			E2SWSE	13	29N	39E	VALLEY		DIRECT FROM SOURCE
03			N2WNNE	24	29N	39E	VALLEY		DIRECT FROM SOURCE

* PLACE OF USE FOR STOCK:

	ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001					E2SWSE	13	29N	39E	VALLEY
002					N2WNNE	24	29N	39E	VALLEY
003					N2NW	24	29N	39E	VALLEY

* A 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,815

WATER₁RIGHT₁NUMBER₁400₁-W-102310-00₁(CONTINUED)

REMARKS CONTINUED:

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* *
* *
* *
* THIS CLAIM APPEARS TO BE CLAIMING TWO SEPARATE *
* SOURCES OF WATER. MORE THAN ONE WATER RIGHT MAY BE *
* INVOLVED. *
* *
* *

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,816

WATER RIGHT NUMBER 400-W-102311-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

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OWNERS:	ANDERSEN	WILLIAM	F
	PO BOX 262		
	MANHATTAN	MT	59741
	ANDERSEN	IRMA	P
	PO BOX 262		
	MANHATTAN	MT	59741

PURPOSE (USE): DOMESTIC

* SOURCE: SPRING, TRIO OF FOSS COULEE
SOURCE TYPE: GROUNDWATER
* PRIORITY DATE: DECEMBER 31, 1938
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 20.00 GPM (.04 CFS)

VOLUME: 2.00 AF

(NUMBER OF HOUSEHOLDS: 1)

DRAINAGE ACRES: 1.00

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION AND MEANS OF DIVERSION:

LOT BLK	QTR SEC SEC	TWP RGE	COUNTY	MEANS
01	SESWSE	13 29N	39E	VALLEY
				PUMP

PLACE OF USE FOR DOMESTIC:

ACRES	LOT BLK	QTR SEC SEC	TWP RGE	COUNTY
001				
TOTAL	1.00		SESWSE	13 29N 39E VALLEY

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

* C 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,817

WATER RIGHT NUMBER 400-W-102311-00 (CONTINUED)

A BETTER UNDERSTANDING OF YOUR CLAIMED WATER RIGHT CAN BE OBTAINED BY COMPARING YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES, FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO OTHER RIGHTS ON YOUR SOURCE OF SUPPLY. FINALLY, YOUR WATER RIGHT MAY BE SUBJECT TO INDIAN RESERVED AND FEDERAL RESERVED WATER RIGHTS.

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,818

WATER RIGHT NUMBER 4001-W-102312-00

IMPORTANT NOTICE

YOUR WATER RIGHT AS SHOWN ON THIS ABSTRACT MAY HAVE CHANGES FROM YOUR WATER RIGHT AS CLAIMED OR AMENDED. AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM CHANGED BY THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION (DNRC) DURING THE EXAMINATION PROCESS. THESE CHANGES ARE AUTHORIZED BY THE MONTANA WATER COURT OR THE WATER RIGHT CLAIM EXAMINATION RULES AS ADOPTED BY THE MONTANA SUPREME COURT.

OBJECTIONS MAY BE FILED ACCORDING TO THE PROCEDURES OUTLINED IN THE DOCUMENT ENTITLED "NOTICE OF ENTRY OF PRELIMINARY DECREE AND NOTICE OF AVAILABILITY." UNLESS OBJECTED TO OR CALLED IN ON MOTION OF THE MONTANA WATER COURT IN THIS DECREE, THE ELEMENTS OF THIS CLAIMED WATER RIGHT WILL APPEAR IN THE FINAL DECREE AS SHOWN ON THIS ABSTRACT. (SEE SECTION 85-2-233, MONTANA CODE ANNOTATED.)

OWNERS:	BRYAN	SHELLEY	A
	PO BOX 1111		
	GLASGOW	MT	59230
	BRYAN	MICHAEL	H
	PO BOX 1111		
	GLASGOW	MT	59230

* PURPOSE (USE): COMMERCIAL

MOBILE HOME PARK AND RENTAL HOUSING

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

* PRIORITY DATE: DECEMBER 31, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 75.00 GPM (.17 CFS)

VOLUME: 195.00 AF

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

LOT BLK QTR SEC SEC TWP RGE COUNTY

01	(GOUT)	3	NENWNE	29	28N	40E	VALLEY
02	(GOUT)	3	NENWNE	29	28N	40E	VALLEY
03	(GOUT)	3	NENWNE	29	28N	40E	VALLEY

THIS WATER RIGHT CONSISTS OF THREE WELLS USED IN A
MANIFOLDED GROUNDWATER SYSTEM.

* PLACE OF USE FOR COMMERCIAL:

ACRES	LOT	BLK	QTR	SEC	SEC	TWP	RGE	COUNTY
001	(GOUT)	3	NWNE	29	28N	40E	VALLEY	
002	(GOUT)	5	NENW	29	28N	40E	VALLEY	
003	(GOUT)	9	S2NW	29	28N	40E	VALLEY	

REMARKS:

* E 05

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,819

WATER RIGHT NUMBER 400-W-102312-00 (CONTINUED)

REMARKS CONTINUED:

AUTHORIZATION TO CHANGE THE PURPOSE OF A PORTION
(75 GPM UP TO 3.5 AC-FT) COMPLETED 06/16/92.
FILE REFLECTS RIGHT AS IT EXISTED PRIOR TO JULY 1973.
APPROVED CHANGES WILL BE RECORDED AFTER FINAL DECREE.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/20/87.
NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/20/90.

* THE FOLLOWING ISSUES WERE IDENTIFIED BY THE DNRC DURING ITS *
* EXAMINATION OF THIS WATER RIGHT CLAIM. THESE ISSUES MAY REMAIN *
* UNRESOLVED IF NO OBJECTIONS ARE FILED. *
* * * * *
* THE CLAIMED FLOW RATE CANNOT BE CONFIRMED DUE TO LACK *
* OF DATA. *
* * * * *
* THE CLAIMED VOLUME APPEARS TO BE EXCESSIVE FOR THE *
* CLAIMED PURPOSE AND CANNOT BE CONFIRMED DUE TO *
* LACK OF DATA. *
* * * * *
* THE CLAIMED VOLUME EXCEEDS MAXIMUM FEASIBLE VOLUME. *
* BASED ON THE FLOW RATE AND PERIOD OF USE, THE MAXIMUM *
* VOLUME POSSIBLE IS 121.30 ACRE-FEET PER YEAR. *
* * * * *

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YOUR RIGHT WITH OTHER CLAIMS IN THE BASIN. FOR EXAMPLE, COMPARE PRIORITY DATES,
FLOW RATES, VOLUMES, OR ACRES IRRIGATED. ALSO, YOUR WATER RIGHT MAY BE SUBJECT
TO WATER RIGHTS IN ADJOINING BASINS OR SUBBASINS AS WELL AS BEING SUBJECT TO
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PROCEDURES OR CHANGES TO YOUR RIGHT, YOU CAN CONTACT THE WATER COURT BY CALLING
1-800-624-3270 (WITHIN MONTANA ONLY) OR 1-406-586-4364, OR BY WRITING TO
P.O. BOX 879, BOZEMAN MT 53771-0879.

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,820

WATER RIGHT NUMBER: 400-W-102313-00

IMPORTANT NOTICE

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OWNERS: BRYAN SHELLEY A
PO BOX 1111
GLASGOW MT 59230
BRYAN MICHAEL M
PO BOX 1111
GLASGOW MT 59230

PURPOSE (USE): IRRIGATION
TYPE OF IRRIGATION SYSTEM: FLOOD

SOURCE: MILK RIVER
SOURCE TYPE: SURFACE WATER

* PRIORITY DATE: DECEMBER 31, 1954
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 100.00 GPM (.22 CFS)

* VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

CLIMATIC AREA: 2

MAXIMUM ACRES: 24.00

PERIOD OF USE: APRIL 01 TO NOVEMBER 30

* POINT OF DIVERSION AND MEANS OF DIVERSION:

----- LOT BLK QTR SEC SEC TWP RGE COUNTY ----- MEANS -----

01 (GOUT) 3 MENWHE 29 28N 40E VALLEY PUMP

PLACE OF USE FOR IRRIGATION:

----- ACRES ----- LOT BLK QTR SEC SEC TWP RGE COUNTY -----

001 16.50 (GOUT) 3 N2NE 29 28N 40E VALLEY
002 7.50 (GOUT) 5 NENW 29 28N 40E VALLEY
TOTAL 24.00

REMARKS:

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,821

WATER RIGHT NUMBER 400-W-102313-00 (CONTINUED)

REMARKS CONTINUED:

THE PURPOSE WAS AMENDED BY THE CLAIMANT ON 06/07/91.

THE FOLLOWING ELEMENTS WERE AMENDED BY THE CLAIMANT
ON 06/17/92: PLACE OF USE, ACRES IRRIGATED.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/20/87.
NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/20/90.

x THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, x
x DATA, OR ISSUES TO REPORT TO THE WATER COURT. x

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PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,822

WATER RIGHT NUMBER: 400g-W-104473-00

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OWNERS: PETERS FARMS INC
PO BOX 219
RICHLAND MT 59260

PANKRATZ WESLEY E
PO BOX 219
RICHLAND MT 59260

PURPOSE (USE): STOCK

SOURCE: WELL
SOURCE TYPE: GROUNDWATER

PRIORITY DATE: OCTOBER 15, 1943
TYPE OF HISTORICAL RIGHT: USE

FLOW RATE: 5.00 GPM

* VOLUME: THIS WATER RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

PERIOD OF USE: JANUARY 01 TO DECEMBER 31

* POINT OF DIVERSION:

----- LOT 1 BLK 43E SEC 36 T12P 43E COUNTY -----

01 NW 1/4 31 34N 43E VALLEY

* PLACE OF USE FOR STOCK:

----- ACRES ----- LOT 1 BLK 43E SEC 36 T12P 43E COUNTY -----

001 NW 1/4 31 34N 43E VALLEY

* THE DNRC EXAMINATION OF THIS CLAIM FOUND NO SIGNIFICANT FACTS, *
* DATA, OR ISSUES TO REPORT TO THE WATER COURT. *

PRELIMINARY DECREE
MILK RIVER BELOW WHITEWATER CREEK INCLUDING PORCUPINE CREEK
BASIN 400
ABSTRACT OF WATER RIGHT CLAIM

03/31/95
PAGE 3,823

WATER RIGHT NUMBER 400-W-104472-00 (CONTINUED)

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